

# Biddulph Youth and Community Zone Ltd (BYCZ)

## Gifts and Hospitality Policy

**Adopted: May 2019**

**Review by: May 2021**

### **A. BACKGROUND**

1. Gifts, hospitality and other favours offered to individual staff, volunteers or BYCZ trustees, whether accepted or not, in the course of their work for BYCZ are a form of income and should be reported. They may sometimes also be offered to those associated with staff, including family and relations and should also be reported. Records should be kept for audit purposes. They may also be provided to third parties and subject to disclosure to our auditors.
2. This procedure aims to ensure there is no improper conduct and that gifts and hospitality do not influence decisions, judgements and integrity. The procedure stands alongside BYCZ's Standing Orders and Financial Regulations, and the annual Declaration of Outside Interests, and forms part of BYCZ's ethical framework. Charitable and philanthropic donations received by BYCZ are subject to separate procedures.
3. This policy applies to all BYCZ staff, officers and volunteers.

### **B. PROCEDURE: ACCEPTING GIFTS AND HOSPITALITY**

- 4 It is accepted that, in the course of normal duties, staff may sometimes receive conventional hospitality including working meals and refreshments taken during meetings or training and invitations to formal functions, networking or training events to attend on behalf of BYCZ. Offers of hospitality that appear to exceed the norm or convention within the charity sector should be considered especially carefully before a decision is made to accept them or not. Where in doubt, staff should seek advice from the Chair or Secretary.
5. Gifts and hospitality may sometimes offered to BYCZ staff in the course of carrying out their official duties to promote good working relationships, but they should only be accepted if the staff member to whom the offer is made is satisfied that:
  - The offer has been made for a proper purpose associated with official BYCZ business;
  - Acceptance is consistent with the ethical framework in which BYCZ operates, as detailed in the Code of Conduct;
  - The offer is appropriate and its value is reasonable and proportionate to the circumstances;
  - Acceptance accords with all applicable BYCZ policies, legislation and

- guidance applicable to charities;
  - Acceptance does not constitute an actual or perceived conflict of interest;
  - Acceptance does not create a specific or general obligation which BYCZ is required to fulfil; and
  - Acceptance does not constitute an actual or perceived inducement in respect of a decision BYCZ is due to take (e.g. to award a contract).
6. If acceptance creates an actual or perceived conflict of interest in respect of a decision BYCZ must make, whether immediately or some time after acceptance, the person should absent themselves from the decision-making process.
  7. A non-exhaustive list of parties who may offer gifts and hospitality includes:
    - suppliers or their agents, current or potential, direct and subcontractors;
    - service users, tenants at the Zone (including current, prospective and former), and their relatives;
    - other charities or third-party organisations;
    - potential or current employees, donors or their relatives.
  8. No money or monetary token for yourself of any value should be accepted. If you are offered money you should immediately inform the Centre Manager and record the refusal.
  9. Acceptance by individuals of gifts or hospitality with a value of between £20 and £50 (whether known or estimated by the recipient) may be recorded by the recipient themselves. Gifts under £20 need not be recorded (see 11 below). Gifts or hospitality with a known or estimated value over £50 must be disclosed to the Chair and recorded (see Section C).
  10. Staff should seek to obtain approval from the Chair in advance of accepting gifts or hospitality over £50. Gifts or hospitality for the Chair shall be approved by the Treasurer. Where it is not possible to do so in advance, retrospective approval shall be sought and reporting and recording proceed according to section C below.
  11. Acceptance of gifts or hospitality with a known or estimated value below £20 need not be declared or recorded, unless:
    - i. they amount cumulatively over time to more than £20, in which case they should be approved and recorded as outlined in this procedure; or
    - ii. they occur with a frequency of more than once a year, in which case they should be approved and recorded as outlined in this procedure; or
    - iii. the intended recipient chooses to do so if s/he feels it appropriate and/or s/he is more comfortable doing so than not. Where there are any concerns or reservations, or the gift or hospitality seems unusual, approval should be sought from the Chair.

12. It is expressly prohibited for a member of staff to accept gifts or hospitality from an organisation that they know to be actively involved in a tender process with BYCZ, except where proportionate hospitality is provided as part of a fact-finding visit or meeting. If an individual accepts hospitality which could be construed as giving them a conflict of interest in respect of procurement or other decision that they make in the course of their work, they should declare it and exclude themselves from the decision-making process.

### **C. REPORTING AND RECORD-KEEPING**

13. Registers of gifts and hospitality offered (whether accepted or not) shall be kept. This is to ensure responsibility and oversight. The responsible person shall:
  - i. ensure that a register is kept at the Centre and that staff are made aware of it;
  - ii. ensure that the register is completed as fully and accurately as possible;
  - iii. monitor entries routinely and regularly (e.g. monthly) and bring any concerns to the attention of the Treasurer as soon as possible;
  - iv. review and sign off the register annually, at the end of the financial year in March;
  - iv. bring any concerns arising from the annual review to the attention of the Treasurer by the end of July each year.
14. A template Gifts and Hospitality Form and Gifts and Hospitality register are set out in Schedules 1 and 2. BYCZ administrators shall record details on the register, and individuals may use the form to submit entries to the register.
15. Each member of staff to whom an offer of gifts or hospitality above the £20 threshold is made is responsible for declaring the offer on the register. It is the responsibility of the person who holds the register to ensure that it is completed on each occasion.
16. Registers shall be reviewed annually by the responsible person. They should be provided if requested for review by auditors.
17. Registers should be kept for six years beyond the end of the year to which they relate.

### **D. FURTHER INFORMATION**

18. Further guidance and information may be sought from the Secretary.

## SCHEDULE 1

### PRO FORMA FOR THE DECLARATION OF GIFTS AND HOSPITALITY

Before completing this form, staff should ensure that they have read the BYCZ Gifts and Hospitality Policy.

This form is to be completed by any individual member of staff, trustee or volunteer who has been offered gifts or hospitality (whether accepted or not) over the value of £20 (see paragraphs 10-12 of the Procedure) in the course of their duties. Please complete as many fields as possible.

It shall be signed by the individual member of staff and the person responsible for the register.

Name of intended recipient (i.e. person completing form) and any other beneficiaries	
Role within BYCZ	
Brief description of gift or hospitality	
Reason for gift or hospitality offered (e.g. relationship management; thank-you; recognition of achievement, collaboration etc)	
Total value (known or estimated)	
Provider/giver's organization (e.g. ABC Limited)	
Provider/giver's name (e.g. A Smith)	
Nature of business relationship	
Date of offer	
Date of receipt (if accepted)	
Date of rejection (if actively declined)	
For gifts: what has been done with them?	

Signed (intended recipient): \_\_\_\_\_

Date: \_\_\_\_\_

Signed (holder of register, if different): \_\_\_\_\_

Name and position (print): \_\_\_\_\_

Date: \_\_\_\_\_

**SCHEDULE 2**

**REGISTER FOR THE DECLARATION OF GIFTS AND HOSPITALITY**

Please complete as many fields as possible

School/ Department:	
Financial Year:	

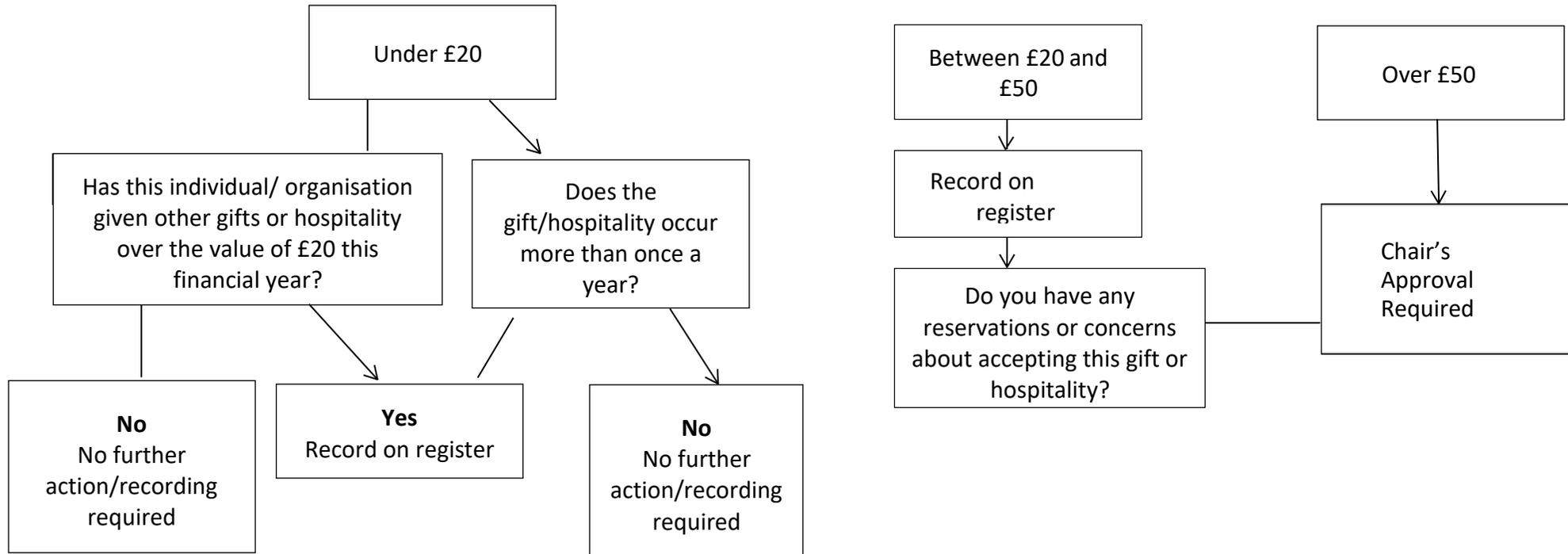
Name of intended recipient and any other beneficiaries	Brief description of gift or hospitality	Reason for gift or hospitality offered <sup>1</sup>	Total value (known or estimated )	Provider/giver's organisation	Provider/giver's name	Nature of business relationship	Date of offer	Date of receipt (if accepted)	Date of rejection (if actively declined)	Declared to Chief Executive Officer (if over £50) y/n	For gifts: what done with the gift

<sup>1</sup> e.g. relationship management; thank-you; recognition of achievement, collaboration etc

### SCHEDULE 3

<b>Acceptable and Unacceptable Gifts and Hospitality</b>		
<b>Gifts</b>	<b>Acceptable/appropriate</b>	<b>Unacceptable/ not appropriate</b>
	<p>Small thank you gifts from service users/ suppliers. Small token items:</p> <ul style="list-style-type: none"> <li>• Box of Chocolates</li> <li>• Flowers</li> <li>• Bottle of Wine</li> <li>• Stationery items such as pens</li> <li>• Diary or calendar</li> <li>• Book</li> <li>• Mug</li> </ul> <p><i>Ticket/s for events should be considered carefully as the value of tickets can vary greatly. For example, sporting events, opera, theatre.</i></p>	<ul style="list-style-type: none"> <li>• Personal gifts of money</li> <li>• Gift vouchers</li> <li>• Gifts of high value</li> <li>• Holidays (UK or abroad) or holiday travel</li> <li>• Goods or services at trade/discount prices</li> <li>• Frequent gifts from the same source.</li> </ul> <p>Gifts from a company during the procurement process.</p> <p>All money that is offered to BYCZ must be directed through the BYCZ Treasurer.</p>
<b>Hospitality</b>	<b>Acceptable</b>	<b>Unacceptable</b>
	<ul style="list-style-type: none"> <li>• Refreshments (tea/coffee).</li> <li>• Working lunches.</li> <li>• Drinks receptions/product launches.</li> <li>• Dinners at conferences.</li> <li>• Modest entertainment from an existing supplier.</li> <li>• Work related travel and accommodation such as when speaking at a sector conference.</li> </ul>	<ul style="list-style-type: none"> <li>• Attendance at lavish/extravagant social functions.</li> <li>• Travel and accommodation not related directly to work related activities such as attendance at conference/required for role.</li> <li>• Frequent invitations from the same individual or organisation.</li> <li>• Entertainment from a company during a procurement process.</li> </ul>

**SCHEDULE 4 – process flowchart**



## **SCHEDULE 5 - FAQs**

### How do I estimate the value of this item?

It may be difficult to estimate the value of an item that you have been given. To give a rough idea you could search the internet to find the value of a similar item. It might be useful to think about whether you believe the value of the item falls over the thresholds of £20, £50 and include an estimation of the value. If you would like another opinion, please seek advice from the Secretary.

### What if a supplier offers me training?

Offers of hospitality from suppliers can sometimes be dressed up as networking, training, a seminar, event, product launch etc, often at high-profile venues. Staff should seek guidance from the Chair or Secretary before responding to such invitations.

### I was unable to seek authorisation before accepting a gift or hospitality above the £50 threshold. Does this matter?

Paragraph 11 is written in recognition that it is by no means always practicable or possible to seek authorisation in advance of accepting gifts or hospitality. But you must inform the Chair as soon as practicable afterwards and ensure that it is recorded.

### I have been offered a “prize”; can I accept it?

Ask yourself why, with reference to paragraph 5. If in doubt, consult the Chair or relevant approver.

### Do I have to pay tax on gifts and hospitality?

Accepting a gift may give may incur a personal tax liability. Guidance can also be found at [HMRC's on Non Taxable gifts and hospitality](#)