



BRATHAY TRUST

HOSPITALITY AND GIFTS

POLICY & MANAGEMENT GUIDELINES

DOCUMENT MANAGEMENT RECORD

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POLICY & MANAGEMENT GUIDELINES

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CONTENTS

PAGE

Summary Policy Statement

3

Procedures

4 - 5

Training

5

Responsibilities

6

Appendix 1

6

SUMMARY POLICY STATEMENT

Brathay Trust (“the Trust”) recognises that trust and confidence in the propriety of its activities is essential to its continuing success and growth. In order to foster the trust and confidence that clients, suppliers, workers and the community in general have in the Trust, it is important that the Trust, its employees and agents behave, and are seen to behave, appropriately and honestly at all times.

This Hospitality and Gifts Policy aims to:

1. Protect the reputation of the Trust;
2. Protect employees from accusations of impropriety;
3. Ensure that all clients and suppliers are dealt with on an equal basis;
4. Avoid any potential conflicts between employees’ private interests and professional duties;
5. Instil a strong anti-corruption culture in the Trust and put in place a gift and hospitality monitoring process to further compliance with the Bribery Act 2010.

Employees are advised that, notwithstanding anything contained herein, where there is any doubt over the permissibility or propriety of accepting a gift or hospitality offer they should decline that offer. Nothing should be accepted which would bring the Trust into disrepute.

This policy applies to the Trust and to any associated persons as defined by the Bribery Act 2010.

PROCEDURES

Receiving Gifts

Save for gifts of low value and which are mere tokens (such as promotional pens, calendars, chocolates, flowers and stationery), excluding money, employees of the Trust are not permitted to accept any gifts from customers, suppliers or other third parties involved with the Trust.

The Trust recognises that there may be exceptional instances when refusing a gift will cause significant offence or embarrassment. In such instances the gift may be accepted and subsequently donated to a charity of the Trust's choice.

Where practicable any employee minded to accept a gift should first seek approval from their line manager or, where the value of the gift is likely to be over £50, from the relevant member of the Executive Team. If it is not practicable to gain prior approval, the accepting employee should inform their line manager (or relevant member of the Executive Team) as soon as possible after receiving the gift.

An accurate record must be kept of all gift offers made to the Trust or to employees of the Trust by third parties, and must be filed in the "Hospitality and Gifts Register" ("the Register"). Any employee who is offered a gift which is not merely a token should record, as soon as is reasonable practicable:

- A description of the gift offered;
- An estimation of the value of the gift offered;
- Whether it was rejected or accepted;
- If accepted, why it was accepted;
- Whether prior approval was obtained, and if so, from whom; and
- Who it is donated to (see sub-paragraph below).

Hospitality

"Corporate Hospitality", for the purposes of this policy, is any form of accommodation, entertainment or other hospitality provided for an employee of the Trust by a third party and which is extended to the employee solely or significantly due to his position as a representative of the Trust. This excludes the classes of hospitality particularised in the paragraph below.

For the purposes of this policy and for the sake of clarity, the following are not normally considered Corporate Hospitality and will not require any approval prior to acceptance:

- Normal working lunches or refreshments provided during a business visit;
- Hospitality extended to employees attending a Trust approved seminar, conference or other external event, provided that such hospitality is extended to all who are in attendance;
- Benefits derived from frequent traveller schemes, awarded during travel paid for by the Trust;
- Free seminars, talks or workshops, provided that they are free to all in attendance and are not provided solely for employees of the Trust.

All employees are required to obtain approval before accepting any form of Corporate Hospitality which is offered to them. Approval must be sought from their line manager or, where the value of the Corporate Hospitality is likely to be over £50, from the relevant (or relevant member of the Executive Team.

An accurate record must be kept of all Corporate Hospitality offered to the Trust or to employees of the Trust for entry on the Register. Any employee offered any form of Corporate Hospitality must record, as soon as is reasonable practicable:

- A description of the hospitality offered;
- An estimation of the likely value of the hospitality;
- Whether it was rejected or accepted;
- If accepted, why it was accepted; and
- From whom prior approval was obtained.

Hospitality and Gifts Register

The Register shall be held by the Finance Director (“the Registrar”) and reported to Trustees annually.

All offers of gifts or hospitality must be recorded on a Register Entry Form, available from on the intranet. The Register Entry Form must be signed by the employee and countersigned by the relevant manager before being returned to the Registrar.

The Register Entry Form must be completed as soon as is reasonably practicable, and be filed with the Registrar within 5 working days of the offer of the gift or hospitality.

It is anticipated that instances may arise where a gift accepted by the Trust or one of its employees has not been donated by the time that the relevant entry is made on the Register. In such cases the Register must be updated within 5 working days of the date on which the donation was made.

Breach of this Policy

Compliance with this policy is essential to the protection of the Trust’s reputation and that of its employees. Any employee or associate person who is found to have acted in contravention of this policy or its principles may be subject to disciplinary action, including summary dismissal where the breach amounts to gross misconduct.

Any employee or any associated person (as defined by Section 8 of the Bribery Act 2010) found giving or receiving bribes or bribing a foreign official will face criminal charges under the provisions of the Bribery Act 2010. Anyone found guilty of bribery, will be responsible for bearing any related remedial costs such as losses, court fees or expenses

Training

Brathay’s Hospitality and gifts policy can be found on the intranet and is included in the induction programme. Updates will be communicated via the Management Group.

Responsibilities

Trustees

Responsible for:

- Overall responsibility for a policy which ensures compliance with the relevant statute

Executive Team

Responsible for:

- Development and maintenance of such procedures as are necessary to ensure implementation of the policy
- Maintenance of the policy
- Reporting to Trustees

Management

Responsible for:

- Design of procedures
- Implementation of procedures
- Dissemination throughout their team
- Ensuring day to day operational compliance
- Reporting to the Executive Team

Individual Responsibility (Workers and Contractors)

Responsible for:

- Compliance with procedures
- Identifying potential improvements through day to day work
- Reporting to the management team

APPENDIX 1

Please refer to the following Brathay policies:

- Whistleblowing
- Anti-bribery & anti-collusion
- Conflicts of Interest