



12.1

Gifts, Hospitality, Donations and Anti-Bribery Policy

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Statement of intent

St Chads Community Project is committed to maintaining the highest ethical standards and acting with integrity in all business activities. We all have a duty to make sure that charity resources and funds are used for the purpose for which they were intended.

While gifts and hospitality can be accepted in certain limited circumstances, benefits of any kind should not be received by staff from third parties which could call into question their motivation, integrity or judgement – this could be considered bribery.

This policy details the charity's position on preventing and prohibiting bribery.

Bribery by, or of, staff, agents, consultants, or any person acting on behalf of the charity will not be tolerated. The charity is committed to implementing effective measures to prevent, monitor and eliminate bribery.

Bribery and corruption by individuals are punishable by up to 10 years' imprisonment and the charity could face an unlimited fine and serious damage to its reputation; therefore, the charity takes its legal responsibilities very seriously.



The purpose of this policy is to:

- Establish the responsibilities of the charity in observing and upholding the position on bribery and corruption.
- Provide information and guidance to charity staff on how to recognise and deal with bribery and corruption concerns.
- Ensure the charity achieves regularity, propriety and value for money in its use of public funds, grants and donations.

This policy covers all individuals working for the charity at all levels, whether permanent, fixed-term or temporary. This includes employed staff, trustees, volunteers, agents, trainees, apprentices, consultants and any other person associated with the charity, they are known throughout the policy as 'staff'.

The Charity Code of Governance Principle 3 (integrity) 3.8.3 for smaller charities recommends that "registers of interests, hospitality and gifts are kept and made available to stakeholders in line with the charity's agreed policy on disclosure".

This policy and the charity's Gifts and Hospitality Register outline the charity's procedures on the acceptance of gifts, hospitality, awards, prizes and other benefits that could compromise the judgement or integrity of the charity or its staff. The Gifts and Hospitality Register is reported to trustees and is available on request to the trustees or CEO.

All staff will be made aware of this policy.

1. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- The Bribery Act 2010
- The Charity Governance Code

This policy operates in conjunction with the following charity policies and documents:

- Gifts and Hospitality Register
- Whistleblowing Policy

2. Roles and responsibilities

The CEO will be responsible for:

- In collaboration with line managers ensuring that this policy is embedded in the induction materials for new staff and ensuring that all staff are aware of what to do when offered gifts or hospitality.



- In collaboration with line managers, approving the offering, giving or accepting of gifts and hospitality in the necessary circumstances, including where they are being offered to staff from third parties.
- Approving charitable donations offered or made in the charity's name.

All staff will be responsible for:

- Following the procedures set out in this policy.
- Considering whether gifts and hospitality offered, given or received are appropriate to the circumstances, and reflecting on the intention behind them.
- Seeking approval from the CEO and/or line managers, as appropriate, to offer, give or accept gifts or hospitality in the necessary circumstances.
- Registering and documenting any gift or hospitality received in the Gift and Hospitality Register, including the date it was received, who it was sent by and the reason it was accepted or rejected.
- Reporting instances of known or suspected bribery to the CEO at the earliest opportunity and where necessary referring to the Whistleblowing Policy.

3. Bribery and corruption

Under the Bribery Act 2010, a '**bribe**' is defined as a financial or other type of advantage offered with the intention of inducing or rewarding improper performance of a function or activity, or knowledge or belief that accepting such a reward would constitute the improper performance of such a function or activity.

A bribe means a financial or other inducement or reward for action which is illegal, unethical, a breach of trust or improper in any way. Bribes can take the form of money, gifts, loans, fees, Hospitality, services, discount, the award of a contract or any other advantage or benefit.

Bribery includes offering, promising, giving, accepting or seeking a bribe.

A criminal offence will be committed under the Act if:

- A staff member or associated person acting for, or on behalf of, the charity:
 - Offers, promises, gives, requests, receives or agrees to receive bribes.
 - Offers, promises or gives a bribe to a government or local council official with the intention of influencing that official in the performance of their duties or speed up a routine or necessary procedure.
- And, in either case, the charity does not have the defence that it has adequate procedures in place to prevent bribery.

Corruption is a term often used interchangeably with bribery. However, corruption can involve a wider range of behaviours as well as the payment of bribes. Corruption includes any form



of illegal, dishonest, illegitimate or bad behaviour intended to gain an advantage of some kind especially where this involves people in positions of power or influence.

4. Acceptable and unacceptable practice

Charities risk losing support if there is a perception amongst the public (justified or not) that the charity funds are being applied lavishly or wastefully. Similarly, trustees need to remember that accepting hospitality beyond the reasonable minimum, even if it costs the charity nothing, can give an impression of an inappropriate culture of extravagance, or inappropriate influence.

The advice of the charity is for staff to consider, in all circumstances, whether the gift or hospitality is reasonable and justified and to reflect on the intention behind it.

This policy applies to gifts or hospitality either offered from or offered to third parties (e.g. individuals, organisations or companies outside of the charity).

In line with this policy, it will be unacceptable for staff to:

- Give, promise or offer a payment, gift or hospitality with the expectation or hope that they or the charity will receive an advantage.
- Give, promise or offer a payment, gift or hospitality to reward an advantage they or the charity have already received.
- Give, promise or offer a payment, gift or hospitality to a government official, agent or representative to facilitate or expedite a routine procedure.
- Accept payment from a third party if they know or suspect that it is offered with an expectation of a business advantage in return.
- Threaten or retaliate against another staff member who has refused to commit a bribery offence or who has raised concerns under this policy.
- Engage in any activity that may lead to a breach of this policy.
- Knowingly fail to challenge or report suspicions of bribery or corruption.

This policy will not prohibit normal and appropriate gifts and hospitality, both given and received, if the following requirements are met:

- It is not given with the intention of:
 - Influencing a third party to obtain or retain business or a business advantage.
 - Rewarding the provision or retention of business or a business advantage.
- It is not given in exchange for favours or benefits.
- It is given in the charity's name, not in the individual's name.
- It complies with local law.
- It is given as a one-off gift of trivial nature, where it is normal and reasonable, and appropriate in the circumstances, e.g. the giving of small gifts at Christmas.



- The type and value of the gift or hospitality is reasonable based on the reason it is offered.
- It is given openly, not secretly.

This policy does not apply to the following:

- Hospitality at events/ conferences/ training etc that (a) a standard fee has been paid to attend where hospitality costs are included or (b) are free to attend and open to all.
- Hospitality that may be received from the charity in the course of work e.g. working lunches.
- Internal gifts or hospitality, e.g. a one-off thankyou gift for a volunteer or a staff member (unless they are for trustees). Purchase of such gifts must; by approved by a line manager; and be a reasonable and proportionate use of charity money given the circumstances (no more than £30). These do not need to be reported and recorded on the Gifts and hospitality Register.
 - The exception to the above is gifts purchased for trustees. Trustees must not receive benefits or payment in relation to their role, therefore all gifts to trustees must be reported and recorded on the Gifts and Hospitality Register.

This policy does not cover 'Gifts in Kind'. Gifts in Kind are where the charity might be offered goods or services or donations, rather than cash, for example use of a meeting room, food donation, etc. Gifts in Kind can also apply to beneficiaries who are in crisis and in need of food or goods.

This policy does not cover the receipt of cash donations to the charity. Receipt of cash donations is governed by the charities fundraising procedures.

5. Charitable donations

Charitable donations will be considered part of the charity's wider purpose. The charity will only support carefully selected charities and may also support fundraising events involving staff.

The charity will only make charitable donations that are legal and ethical. No donation will be offered or made in the charity's name without the prior approval of the CEO.

6. Gifts and donations to the charity

When the charity is deciding whether to accept or decline a donation or gift the CEO will take into consideration the charity's best overall interest and will not accept donations from donors whose activities appear to be in direct conflict with the charitable aims and objectives.



The charity will not accept gifts or donations from third parties who participate in activities which:

- Could cause detriment to the charity's reputation.
- Will disproportionately decrease the amount of donations to further the work of the charity.
- Undermine the charity's vision, mission, values and behaviours.
- Are associated with unsuitable products, corporate and individuals e.g. arms dealings and tobacco.
- Are from unknown sources of funding. The charity will take reasonable steps to determine the ultimate source of funding for each gift or donation, and satisfy itself that the funds do not derive, directly or indirectly, from activity that was or is illegal.
- Potentially harm the relationship with other donors, beneficiaries, staff or stakeholders.
- Expose the charity to any undue adverse publicity or reputational risk.
- Require any unacceptable expenditure or additional charity resources.

If supporters wish to make a donation to a specific area of work, then they can make a specified donation by providing written instruction to this effect with their donation and the charity will always respect this. If the charity is unable to accept the request for the specified donation and the donor does not want the donation used in any other way, then the charity will refund the donation.

7. Accepting and refusing gifts from potentially vulnerable people

We will not accept a donation if we know, or have good reason to believe, that a person lacks capacity to make a decision to donate or is in vulnerable circumstances which means they may not be able to make an informed decision.

If we suspect that an individual who is making a donation may be in a vulnerable circumstance or unable to make an informed decision, we will take the following steps:

- Check and confirm that the individual does want, and is able, to make the donation.
- Ask if they would like to have some more time to make a decision and/ or to talk to anybody else before making a decision.
- If they are in financial difficulty but wish to support the charity, staff will suggest other ways that they can get involved and make a difference.

8. Refusal of gifts or donations to the charity

If a gift or donation is received by the charity which may not be acceptable under the terms of this policy the CEO will be alerted at the earliest opportunity. This will be researched further, and the matter will be referred to the board of trustees with the necessary information regarding the gift or donation.



9. Definitions of gifts and hospitality

Gifts are physical objects (including cash) offered by a person or organisation (third party) outside the charity to a staff member or team within the charity.

Gifts are categorised as follows:

- **Category A:** Little or no intrinsic value – these items are under £10 in value, e.g. pens or notebooks given out at a conference.
- **Category B:** Estimated intrinsic value of between £10-£50 – e.g. flowers, bottle of wine, etc.
- **Category C:** Gifts valued over £50 – e.g. a case of wine or expensive hamper.
- **Category D:** Gifts from a third party where there is a potential to enter into a business contract; any gift or cash which is not a donation to the charity.

Hospitality could be travel, accommodation, food, drink, entertainment, or a cultural or sporting event. In the context of virtual events, hospitality could be tickets, food or drink sent to be consumed during the virtual event e.g. hamper.

For further information please see Appendix A.

10. Gifts and hospitality to staff from third parties

It will be permissible for staff to accept gifts from third parties in the appropriate circumstances; for example, at Christmas or when leaving. Before accepting a gift or hospitality, staff must consider whether doing so is in the direct interest of the charity and proportionate to that interest. When considering this staff should think about whether a fair-minded member of the public, knowing the facts of the matter, would see anything improper or suspicious in the gift or hospitality being offered or received. If there are any doubts staff should speak with their line manager for advice or simply refuse.

All offers of gifts and hospitality (except Category A gifts) must be declared to a line manager, regardless of whether they are being accepted or declined. The staff member will be asked to provide the information to the administrator so it can be logged on the Gifts and Hospitality Register. If there is any doubt of the likely value of a gift or hospitality the details should always be shared with the administrator

Before accepting gifts or hospitality from a third party, staff will consider the following before accepting gifts or hospitality:

- Whether there is any benefit to the charity in them accepting the scale, amount, frequency and source of the offer.
- The timing of the offer in relation to forthcoming decisions.
- Whether accepting the offer could be misinterpreted as a sign of their, or the charity's, support or favour.

Staff will not accept:



- Cash or monetary gifts, including tokens and gift certificates.
- Gifts or hospitality offered to their spouse, partner, family member or friend.
- Gifts or hospitality from a potential supplier or tenderer.
- Lavish, extravagant or excessive gifts or hospitality.
- Gifts or hospitality that they believe to be more than a token of gratitude given at an appropriate time, e.g. at the end of the year.

These conditions apply regardless of whether the conditions outlined at the start of this section are met, e.g. monetary gifts will not be accepted even if they are below the value of £10.

If a gift meeting the above conditions is offered without warning, the member of staff will politely decline the gift. If the member of staff feels it would be inappropriate to decline the gift, they will refer the matter to the CEO as soon as possible; the CEO will then decide on an appropriate course of action. This may include the CEO deciding to return the gift, asking the trustees for their view.

If staff are unsure whether to accept a gift in any situation, they will speak to their line manager or CEO.

11. Gifts and hospitality to staff from the charity

The charity may, at the discretion of the CEO, provide staff with token gifts to reward efforts beyond their duties, e.g. significant contributions towards extracurricular activities. These gifts will be non-monetary, non-alcoholic and cost up to the value of £30.

When giving gifts to staff, the CEO will ensure:

- The value of the gift is reasonable.
- The gift is within its scheme of delegation.
- The decision to give the gift is documented.

The purchasing of excessive or alcoholic gifts is regarded as irregular expenditure; as such, the charity will not provide staff with gifts meeting these conditions.

12. Reporting and investigating bribery

Staff will be encouraged to raise concerns about any known or suspected bribery or corruption to the CEO at the earliest possible opportunity. Issues that should be reported include:

- Any suspected or actual attempts at bribery.
- Any concerns that a staff member may be in receipt of bribes.
- Any concerns that a staff member may be offering or delivering bribes.



Concerns should be reported following the procedure set out in the charity's Whistleblowing Policy.

Reports of known or suspected bribery will be investigated thoroughly and in a timely manner by the appropriate line manager and in the strictest confidence.

Staff who raise concerns in good faith will be supported by the charity, and the charity will ensure that they are not subjected to any detrimental treatment as a consequence of their report. Any instances of detrimental treatment against a staff member for reporting a suspicion will be treated as a disciplinary offence.

Following investigation, the charity will invoke disciplinary procedures where any staff member is found guilty of bribery; this may result in the finding of gross misconduct and immediate dismissal. The charity may terminate the contracts of any associated persons, including consultants or other employees acting for, or on behalf of, the charity who are found to have breached this policy.

13. Record keeping

The charity maintains up-to-date financial records and has appropriate internal controls to provide evidence for the business reasons for making payments to third parties. Staff will make the CEO aware of gifts or hospitality received or offered over the value of £10. These gifts and hospitality will be subject to managerial review.

The Gifts and Hospitality Register is used to record the details of gifts or hospitality that need to be recorded. The following information will be recorded:

- The nature of the gift or hospitality
- The date the gift or hospitality was offered
- The name of the person or people who offered the gift or hospitality
- The name of staff member the gift or hospitality was offered to
- The value of the gift or hospitality
- The action taken – for example, whether the offer was refused or accepted

Staff members' expenses claims relating to gifts, hospitality or expenses incurred to third parties will be submitted in accordance with the relevant procedures.

Invoices, accounts and related documents will be prepared and maintained with the highest accuracy and completeness. No accounts will be kept "off-book".

14. Monitoring and review

This policy will be reviewed every 3 years by the CEO.

Any changes to this policy will be communicated to all staff and relevant stakeholders.



Appendix A – Offers of gifts or hospitality made by third parties to staff

	Can accept	Report to/ approved by	Record on G&H Register	Additional Notes
Gifts offered by third parties				
Category A: Little or no intrinsic value – under £10	Yes	No	No	If repeated category A gifts are received from the same source in a single year they must be reported to a line manager.
Category B: £10-£50 intrinsic value	Yes to be raffled or shared	Line manager	Yes	
Category C: Over £50 intrinsic value	No (raffle – see additional notes)	Line manager (gifts over £100 always approved by CEO)	Yes	On occasions it may be difficult to refuse a high value gift (e.g. refusal would cause offence) in the cases the gift should be raffled.
Category D: See 6. Definitions of gifts and hospitality	No	Line manager	Yes	Must not be accepted in any circumstances. Gifts of cash which are not donations to the charity must never be accepted.
Hospitality offered by third parties				
Conventional hospitality (e.g. working lunch)	Yes	Line manager	Yes	The value of all hospitality must be reasonable in the circumstances.
Occasional events (e.g. annual dinner events or working lunches during a visit for work purposes)	Yes	Line manager	Yes	<ul style="list-style-type: none"> • The total cost of hospitality must be reasonable. • The cost should not be more than £100. • The event can not be seen as an attempt to influence the work of the charity.



Virtual hospitality in circumstances where conventional in-person would have been accepted.	Yes	Line manager	Yes	Should not include items that can not be reasonable consumed during an event – such items should be considered gifts as dealt with as such.
Hospitality over £100 or frequent invitations.	Within limits	CEO	Yes	<ul style="list-style-type: none"> • Any single event or hospitality over £100 in value must be approved by the CEO in advance. • Frequent invitations to events must be reported to the CEO. • CEO approval is required for any hospitality over a value of £500 for a single staff member in a calendar year.