

Gifts & Hospitality Policy

Sponsor: Corporate Director: Business Services
Owner: Company Secretary
Date Approved: 24th March 2022
Date for Review: March 2025 – 3-year review cycle
Distribution: Non-Confidential for Internal and External Use

<p>Policy Statement</p>	<p>Barnardo's is committed to conducting its operations in accordance with the highest standards of integrity and ethics. The organisation expects all of its Trustees, directors, managers, employees and partners to meet those standards.</p> <p>We are committed to ensuring that Barnardo's, its employees, and Trustees do not provide or accept inappropriate gifts or hospitality, given the attendant risks from a conflict of interest and bribery perspective, namely Barnardo's or its employees potentially being seen as making decisions when conflicted and/or encouraged to perform their functions or activities improperly.</p> <p>This policy should be read in conjunction with the policies highlighted in the relevant sections.</p>
<p>Policy Objectives</p>	<p>The objectives of this policy are to:</p> <ul style="list-style-type: none"> ▪ Define what constitutes a gift (including hospitality/entertainment) and why their provision or acceptance may pose a risk to Barnardo's and its reputation. ▪ Detail our expectations of all Trustees and employees in relation to: <ul style="list-style-type: none"> ○ Undertaking relevant training and awareness in relation to gifts and hospitality to understand the risks they pose; and ○ following approved processes and procedures designed to mitigate the risk of giving or accepting inappropriate gifts or hospitality.
<p>Scope</p>	<p>This policy applies to all Trustees and employees in Barnardo's.</p>

Definitions and Key Concepts

The following details various terms and definitions used within this policy.

Term	Explanation
Associated Party or Partner	Any individual or corporate party which is associated with Barnardo's in terms of provision of services (either providing services to Barnardo's or receiving services from Barnardo's), other than Service Users.
Contractual Partner	Any individual or corporate body that Barnardo's contracts with to provide services to it, including where we operate as a sub-contractor of a broader contract.
Employees	Including all staff, workers, and contractors
Gift (including Hospitality)	The giving or receiving of a financial or other advantage. This applies to cash or cash equivalents, such as: <ul style="list-style-type: none"> ▪ hospitality, (e.g. meals and hotel accommodation). ▪ gifts and entertainment, such as: branded promotional items; items provided on special occasions (e.g., to celebrate national or religious festivals); food and refreshment; and hospitality such as tickets to sporting events or concerts. ▪ free goods or services. ▪ offers of employment; and ▪ other non-cash favours.
Political Contribution	A contribution of any kind, including cash, loans, gifts, membership fees and all other non-cash contributions (including so-called "in-kind" contributions such as the donation of office space, office supplies and other non-cash items or services).
Public Official / Politically Exposed Person	For purposes of this policy, the term "public official" or "politically exposed person" includes: <ul style="list-style-type: none"> ▪ elected or appointed officials at all levels of government. ▪ employees or representatives of national, regional or local governments, government-owned or government-controlled entities. ▪ employees or representatives of international public organisations; and ▪ employees or representatives of political parties, political party officials, and candidates for public office. <p>In the context of Barnardo's operations, relevant public officials might include:</p> <ul style="list-style-type: none"> ▪ elected councillors or non-elected officials in local commissioning authorities. ▪ officials in public grant-making bodies, such as the Department for Education; and ▪ social workers responsible for supervising or regulating Barnardo's activities. <p>A public official generally presents a higher risk for potential involvement in bribery and corruption by virtue of their position and the influence that they may hold.</p>

	Responsible Person	Any Barnardo's trustee, director, manager, employee who is responsible for engaging and/or managing a Service Partner; or tendering for, contracting with and/or managing the ongoing service provision or relationship with a Contractual Partner.
	Service Providers	Any individual or corporate body that is engaged by Barnardo's to perform services on its behalf, including all sub-contractors and agencies of Barnardo's.

Roles and Responsibilities	The main roles and responsibilities in relation to this policy are as follows:	
	Role	Responsibility
	Board of Trustees	To review and approve the policy at relevant intervals; and reinforce the importance of adherence to the policy and all associated processes and procedures on an ongoing basis.
	Audit & Finance Committee	To oversee and monitor the adequacy and effectiveness of the policy and associated processes and procedures across Barnardo's.
	CLT	To ensure that the policy is in place and is appropriately communicated and embedded in the organisation, clearly highlighting its importance.
	Policy Sponsor	To ensure: the policy and associated processes and procedures are reviewed at regular intervals and remain appropriate in the light of emerging best practice; the policy is appropriately implemented and enforced; the Audit and Risk Committee receives relevant and timely information to assist in its oversight and monitoring of the policy; and that all Trustees and employees receive appropriate regular training/messages on the requirements within this policy.
	Policy Owner	To maintain the policy and associated procedures; develop training/appropriate messaging for all Trustees and employees; undertake periodic risk assessments of the gifts and hospitality risks facing the organisation; and ensure that management information demonstrating adherence to this policy is produced and provided to relevant parties. This includes ensuring that the cumulative provision of gifts and hospitality to or received from any individual party is appropriate.
Line Managers	To ensure that all their employees undertake the training/are made aware of the requirements of this policy as part of induction; receive relevant messaging and/or training at agreed frequencies thereafter; and follow the procedures outlined in this	

	<p>policy, especially where such individuals are involved in the procurement, tendering, approval or ongoing servicing of contracts.</p>
All Trustees and employees	To follow this policy and associated processes and procedures as appropriate. This includes co-operating with any investigation as appropriate.
Internal Audit	Periodically and independently to review adherence to this policy and associated processes and procedures across the Charity.

Policy	<p>1. Overarching Principles:</p> <p>Barnardo's discourages employees and Trustees from accepting or giving gifts or hospitality (including services). While it is accepted that the occasional modest giving and acceptance of gifts and hospitality may make a legitimate contribution to good business relationships, it is essential that they do not influence, nor be perceived to influence the outcome of transactions or decisions relating to Barnardo's business. It is therefore necessary to consider whether the giving or receiving of the gift or hospitality is appropriate.</p> <p>The key policy elements are:</p> <ul style="list-style-type: none"> ▪ Offer or acceptance by staff or Trustees of gifts valued at more than £25 (including VAT) or hospitality valued at more than £100 must be approved by the relevant line manager and recorded, whether accepted or rejected, in the relevant gifts and hospitality register. This includes gifts by way of gratuities for lectures, broadcast or similar, and awards or prizes. The acceptance of frequent gifts from a single source is discouraged. Trustees should seek advice from the Company Secretary. ▪ Staff, Trustees and their families should refuse to accept gifts or hospitality which could influence or appear to influence decisions made on behalf of Barnardo's; and ▪ If there is any doubt about the propriety of accepting a gift or hospitality, staff and Trustees should seek advice from Company Secretary. <p>Failure to comply with this policy may result in disciplinary action and could result in staff or Trustees and/or Barnardo's, amongst other things, suffering serious reputational damage or being subject to criminal prosecution under the Bribery Act 2010.</p> <p>2. Gifts:</p> <p>Gifts include any item of value given to a third party or their staff or received from a third party by Barnardo's, staff or Trustees.</p> <p>In general Barnardo's does not permit staff or Trustees to receive gifts from, or to offer or provide gifts to, third parties. Gifts of cash or cash equivalents must not be offered by staff or Trustees and may only be accepted where they are a <i>bone fide</i> donation to the Charity.</p>
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There are limited occasions where gifts may be given or accepted:

- Unsolicited non-cash gifts of an isolated, inexpensive, or seasonal nature (such as mugs, pens, calendars, diaries etc. and/or which bear the name/logo of the provider), are valued at less than £25 (including VAT) and are given and accepted without an express or implied understanding that the recipient is in any way obligated by the acceptance; and
- Gifts offered in circumstances where refusal to accept would be difficult, ungracious, or judged to cause unnecessary offence. In these circumstances further guidance should be sought from the Company Secretary.

3. Hospitality

Hospitality includes any business entertaining, such as travel, accommodation, meals, and invitations to events offered or provided to Barnardo's and its staff or Trustees by third parties or offered or provided by Barnardo's to third parties.

Hospitality may be accepted or offered or provided to others as long as it is *bona fide*, reasonable and proportionate, and/or promote or establish cordial relations. For example:

- Tea, coffee, biscuits, and sandwiches at meetings.
- An invitation to attend an annual dinner of an organisation with which Barnardo's has regular contact.
- An official function at which Barnardo's should be represented and you have been invited in your Barnardo's role; or
- A working meal in the course of normal business provided this is not frequent or lavish.

All hospitality provided by Barnardo's must adhere to the Anti-Bribery and Corruption Policy and Conflicts of Interest Policy and not be seen to influence the recipient or confer advantage on Barnardo's and may only be provided where it is reasonable for the Charity's funds to be spent on the hospitality provided.

All hospitality provided to and/or by staff or Trustees must be approved and accompanied by receipts in accordance with the Expenses Policy. Hospitality given, offered, or received with a value in excess of £100 per head, whether accepted or rejected, must be registered on the relevant gifts and hospitality register.

4. Declining Gifts and Hospitality

Policies cannot cover all situations. In general gifts and/or hospitality should be declined if:

- You would be embarrassed if anyone found out about it.
- It could create suspicion or conflict between your role in Barnardo's and your personal interests.
- It could give the impression that you have been or might be, influenced to show favour/disfavour to any person or organisation.

- It will bring Barnardo's into disrepute; or
- It could attract public criticism of excessive extravagance.

5. Role of the Relevant Approver:

When considering whether to approve the offer or acceptance of a gift or hospitality, the relevant approver must consider its appropriateness, in light of:

- the recipient.
- the value of the gift.
- the rationale for offering or receiving it; and
- the cumulative amount of gifts/hospitality provided by or to Barnardo's to or by the recipient in the preceding 12 months.

If there is any cause for concern, the approver should consult with their line manager prior to approving the gift or hospitality.

The approver must also ensure that all required information is recorded in line with the Record Keeping Requirements below, with supporting information being retained for at least 24 months post the approval.

6. Engaging and Working with Associated Parties or Partners:

At no point can anyone in Barnardo's who is directly involved or associated with tendering for a contract on behalf of Barnardo's; the ongoing provision or retention of the provision of such services; or associated with the counterparty offer, give, request, accept or receive gifts or hospitality, other than in certain specific circumstances, as outlined above¹.

7. Political Donations:

Political contributions on behalf of Barnardo's to political candidates, political parties and political party officials are prohibited. The prohibition on political contributions covers contributions of any kind, including cash, loans, gifts, membership fees and all other non-cash contributions (including so-called "in-kind" contributions such as the donation of office space, office supplies and other non-cash items or services).

8. Record Keeping Requirements:

All gifts and hospitality offered, given, accepted, or received must be documented in line with the following:

Trustees

The Company Secretary will maintain a Trustee gifts and hospitality register. It is the responsibility of individual Trustees receiving or offering gifts and/or hospitality to report this to the Company Secretary to record on the register.

Staff

Each Barnardo's directorate will maintain their own register in which gifts, over £25 in value, and hospitality, over £100 per head in value, offered, given or received, must be recorded (whether accepted or rejected). It is the

¹ For this purpose, 'direct involvement' means in an influencing role (i.e., an individual who can directly influence the procurement process or awarding of a contract).

responsibility of the staff member receiving or offering, the gift or hospitality to ensure that it is fully registered as soon as it is offered or received. It is the responsibility of the relevant CLT member to ensure adherence to this policy.

Every quarter each directorate's gifts and hospitality register must be forwarded to the Company Secretary who will arrange for all logs to be reviewed to ensure that the relevant appropriate approvals are in place, and that the cumulative amount of gifts and hospitality received by or from an individual party (individual or company) is not excessive. Gifts and hospitality should be recorded regardless of whether they are accepted or rejected (regardless of the reason for the rejection), to ensure appropriate oversight is maintained.

9. Risk Assessment:

The Policy Owner, with assistance from relevant individuals will undertake a detailed risk assessment of the gifts and hospitality risks facing Barnardo's at least every 2 years, using this to inform required changes to this policy, any associated processes and procedures or training/awareness messaging as required.

10. Communication and Training Requirements:

To facilitate the appropriate understanding and embedding of this policy and its associated processes and controls:

- there must be periodic communication of the importance of adherence to this policy and its associated processes and procedures; and
- all Trustees and employees receive training/appropriate messaging on this policy as part of their induction process and regular communication of the importance of adherence to it at regular intervals thereafter.

11. Reporting and Enforcement:

If you know or suspect that someone associated with Barnardo's has offered or accepted a gift or hospitality which may or does not conform to the requirements of this policy, please immediately contact the Director of Audit and Assurance. Alternatively, you may choose to remain concerns anonymously using the Whistleblowing Procedure.

If you are asked by Barnardo's to assist with an investigation, you should always provide truthful and accurate information. Providing untrue or misleading statements, or encouraging others to do so, may result in disciplinary action.

If you are contacted by the police or any other investigatory agency concerning allegations of inappropriate acceptance of gifts or hospitality, including potential bribery, please immediately contact the Company Secretary.

If you are notified that document in your possession are required for an investigation or legal matter, you should follow directions to preserve those documents. You must never destroy, conceal, or alter those documents in any way.

Associated Guidance and Other Documents of Note	<p>As outlined above, the requirements in this policy should be considered alongside the requirements of the following policies:</p> <ol style="list-style-type: none"> 1. Anti-Bribery and Corruption Policy <ul style="list-style-type: none"> ▪ Conflicts of Interest Policy ▪ Expenses Policy ▪ Procurement Policy ▪ Partner Due Diligence and Sub-Contracting Due Diligence Processes
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References	<ul style="list-style-type: none"> ▪ Bribery Act 2010
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Compliance and Oversight	<p>Compliance with this policy will be assured by:</p> <ul style="list-style-type: none"> ▪ The Policy Owner: reviewing relevant training records; and undertaking random reviews of Gifts and Hospitality processes, and relevant records, including Forms and Logs, on a minimum annual basis. ▪ Internal Audit: through regular audits in line with the approved audit plan.
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Document Control	<p>Version History:</p> <table border="1"> <thead> <tr> <th>Version</th> <th>Date</th> <th>Author</th> <th>Status</th> <th>Comment</th> </tr> </thead> <tbody> <tr> <td>0.1</td> <td>25/8/2017</td> <td>Sheree Howard</td> <td>Draft</td> <td>Based on internal guidance already available and additional information, together with some other amends to make consistent with other policies.</td> </tr> <tr> <td>0.2</td> <td>27/9/2017</td> <td>Sheree Howard</td> <td>Draft</td> <td>Amends to reflect comments received from various reviewers</td> </tr> <tr> <td>0.3</td> <td>10/12/2017</td> <td>Sheree Howard</td> <td>Draft</td> <td>Amends to certain limits following feedback from CLT. Also changes to be more explicit on cash and cash equivalents following re-review by author.</td> </tr> <tr> <td>0.4</td> <td>13/11/2018</td> <td>James Sherrett</td> <td>Draft</td> <td>Amends to policy to reflect comments from the Chair of Trustees</td> </tr> <tr> <td>0.5</td> <td>19/12/2018</td> <td>James Sherrett</td> <td>Draft</td> <td>Amends to reflect further comments from the Chair of Trustees</td> </tr> <tr> <td>0.6</td> <td>10/01/2019</td> <td>James Sherrett</td> <td>Final Draft</td> <td>Final minor amendments</td> </tr> <tr> <td>1.0</td> <td>22/01/2019</td> <td>James Sherrett</td> <td>Final</td> <td>Minor amendments before finalisation and publication</td> </tr> <tr> <td>2.0</td> <td>27/10/2021</td> <td>Matt McHugh and David Cunningham</td> <td>Final</td> <td>Review of the policy in line with review schedule. Approved by Board of Trustees March 2022.</td> </tr> </tbody> </table>	Version	Date	Author	Status	Comment	0.1	25/8/2017	Sheree Howard	Draft	Based on internal guidance already available and additional information, together with some other amends to make consistent with other policies.	0.2	27/9/2017	Sheree Howard	Draft	Amends to reflect comments received from various reviewers	0.3	10/12/2017	Sheree Howard	Draft	Amends to certain limits following feedback from CLT. Also changes to be more explicit on cash and cash equivalents following re-review by author.	0.4	13/11/2018	James Sherrett	Draft	Amends to policy to reflect comments from the Chair of Trustees	0.5	19/12/2018	James Sherrett	Draft	Amends to reflect further comments from the Chair of Trustees	0.6	10/01/2019	James Sherrett	Final Draft	Final minor amendments	1.0	22/01/2019	James Sherrett	Final	Minor amendments before finalisation and publication	2.0	27/10/2021	Matt McHugh and David Cunningham	Final	Review of the policy in line with review schedule. Approved by Board of Trustees March 2022.
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