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1. Purpose

- 1.1 To define the circumstances that constitute a conflict of interest for Translink staff, which would impair impartiality in business / commercial matters.
- 1.2 To define the criteria against which gifts, loans, benefits or hospitality may be accepted or given during the undertaking of the Translink business and to support Board Members in their compliance to The Nolan Seven Principles of Public Life (illustrated below at Annex 2).
- 1.3 In accordance with the NITHC / Translink Financial Memorandum – Final Version 28/07/2006 point 8.3.3 Translink must comply with “The DRD policy on hospitality and DAO (DFP) 14/ 05 Gifts and Hospitality Received and Provided refer”

Note: Bryan Dooley of DRD on the 30th April 2007 states:

“DAO (DFP) 14/05 has been **superseded by DAO(DFP) 10/06** which issued on 10 August 2006. DAO (DFP) 10/06 is available on the DFP AASD site.”


DAO (DFP) 10/06 can be found at <http://www.aasdni.gov.uk/pubs/> and the DRD policies to which the Memorandum refer can be found below at Annex 3 and 4.

- 1.4 Translink’s Gifts and Hospitality Policy can be found on the Company intranet site at:
http://sharepoint/sites/grpfinance/Treasury/Gifts%20and%20Hospitality%20Policy%20-%20revised%20feb2008_2.pdf
- 1.5 Translink’s Anti-Fraud Policy & Fraud Response Plan can be found on the Company intranet site at:
<http://sharepoint/sites/grpfinance/Treasury/Translink%20Anti%20Fraud%20Policy%20May%202007%20Version%207.pdf>

2. METHOD

2.1 Ethics - Conflict of Interest

- 2.1.1 If a member of staff is engaged by Translink to assist or be involved in the Procurement and or purchasing of goods and services and they believe there may be a potential conflict of interest, then they must declare the issue with the Purchasing Manager and if considered prudent, a record shall be made on the individual’s personnel file. The member of staff will not be able to participate in any further way in the particular exercise.
- 2.1.2 Throughout the tendering process all Translink staff must act with to ensure even-handedness, fairness and strict equity between Tenderers.
- 2.1.3 The confidentiality of the tendering process must be respected by all Translink staff and no information in relation to the outcome of a competition should be disclosed until the agreed announcement date.

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2.2 Principles on Gifts and Hospitality


- 2.2.1 The basic requirement is that employees should conduct themselves with honesty and impartiality in the exercise of their duties and, as a consequence, that they should not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgement or integrity.
- 2.2.2 If any offer, gift or irregular suggestion is made to an employee in connection with a contract or with the object of obtaining preferential treatment, the facts must be reported immediately to the Chief Executive or Chairman.
- 2.2.3 In adhering firmly to the above principles and requirements, the Company has introduced the procedures contained in this paper in order to help and inform the individual judgements to be made in cases where offers of gifts or hospitality arise.

2.3 Gifts and Hospitality Register

- 2.3.1 To counter any possible suspicion of improper conduct, a Divisional Gifts and Hospitality Register will be maintained. The Register should cover all gifts and/or hospitality both accepted by staff within the Company and given to others by the Company.
- 2.3.2 The Register will be divided into two sections and will record:
- the source and nature of the gift/hospitality received;
 - the source and nature of the gift/hospitality given
- 2.3.3 The foregoing should include the date and venue of any such hospitality.
- 2.3.4 Each Executive will maintain a register for the keeping of Divisional records and will be responsible for ensuring completeness. All registers will be submitted to the Board twice yearly for open inspection.
- 2.3.5 The Purchasing Department maintain a separate register of gifts and hospitality located on the Purchasing shared electronic area, an example of this is illustrated at Annex A to this document.
- 2.3.6 All hospitality must be recorded within seven days, following the event.

2.4 Gifts

- 2.4.1 The general principle is that all gifts should be refused. However, modest seasonal or promotional gifts (e.g. calendars, diaries, pens, etc.) with a value of less than **£10** may be accepted by individuals without the need for these to be reported or approved in advance by senior management.
- 2.4.2 An employee **is not permitted** to accept any offer of free travel tickets or accommodation from an existing supplier or potential supplier of goods or services.

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2.4.3 Trade or discount cards, through which an individual might personally benefit from the purchase of goods or services at reduced prices, are classified as gifts and should be refused or returned.

2.4.4 Exceptionally, in cases where refusal of a gift is likely to offend the donor or cause embarrassment, the Chief Executive may, based on the nature, value and origin of the gift concerned, exercise discretion as to its handling and retention. An example could be a gift to an employee who has spoken at a conference. All gifts in such circumstances must be recorded in the Register, following approval.

2.4.5 The Company should restrict the giving of gifts to modest seasonal or promotional gifts with a value of less than £15. Exceptionally, this limit may be exceeded with the approval of the Chief Executive and the value and name of the recipient are to be recorded in the Register.

2.5 Hospitality

2.5.1 Invitations which involve travelling outside the province, possibly to sporting and/or cultural events, e.g. Wimbledon, Ascot, the British Open, etc., must all be recorded and prior approval will be required from the Chief Executive before acceptance. Approval for such visits will not normally be given.

2.5.2 In determining whether or not it is proper to accept hospitality offered, each individual case should be considered on its merits. Whilst an informal working meal to discuss official business or to maintain business contacts may be acceptable, disproportionately lavish or expensive social hospitality is clearly not.


2.5.3 Some invitations, particularly to senior staff, are extended in a representational capacity. Such invitations may generally be accepted within reasonable limits. On occasions, it may be appropriate for a partner to accompany a staff member.

2.5.4 As in the case of gifts (see paragraph above), it is accepted that refusal of an invitation or offer of hospitality may, exceptionally, cause embarrassment or appear discourteous. In such cases, prior guidance should be sought from the Chief Executive. One important factor to be borne in mind is whether acceptance might appear to place an employee under any obligation in terms of reciprocal hospitality, business dealings, etc.

2.5.5 It is emphasised that the rules and guidelines contained in this paper are designed to protect both individuals and the Company. As the guidance cannot cover every eventuality, the advice of the Chief Executive should be sought immediately in any case where the propriety of accepting a particular gift or offer of hospitality is in doubt. The basic rule is that individuals should be guided by the appropriate standards of conduct expected in the Public Sector and not by what may be common practice elsewhere in commerce, trade and industry.

2.5.6 The policy listed above in 2.2 to 2.5 is the reviewed and issued policy by the Translink Chief Executive dated June 2006.

2.6 Confidential Information

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2.6.1 All staff must adhere to the need for confidentiality, at all times, described in the individual's contract of employment.

3 Related Documents

3.1 Procurement Manual Section 5

3.2 **Procedure(s) TPP115 Document Control**

ANNEX 1

Example of Hospitality Book for the Purchasing Department kept on the Purchasing Shared Drive:

PURCHASING GIFTS & HOSPITALITY LOG

Person Offered to	Offer received from	Date offered	Approx Value	Accepted / Declined	Description of hospitality	Reason for accepting (if accepted)
XXX	Partline	16/08/2006	£15.50	Accepted	Lunch	Gain information on how suppliers view Translink as a purchasing operation Gain information on how Partline do business with other companies similar to Translink Accompanied by Buying Manager

ANNEX 2

The Nolan Principles taken from the NI Transport Holding Company, Management Statement, 28 July 2006 (amended Jan 2007) Appendix 2 & referred in point 3.4.7 page 18 of the statement.



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THE SEVEN PRINCIPLES OF PUBLIC LIFE

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisation that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness


Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interests.

Leadership

Holders of public office should promote and support these principles by leadership and example.

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Annex 3

DRD Office Memorandum 1/07

To: All DRD Staff

PROVISION OF GIFTS AND HOSPITALITY

Purpose

1. The purpose of this Memorandum is to re-emphasise, to all staff, the strict rules governing expenditure by NI civil servants on hospitality and official gifts. As this is a sensitive area which is subject to close scrutiny, it is essential for staff to adhere, at all times, to the principles, guidelines and Departmental procedures set out below.
2. Sponsoring Divisions should ensure that the principles and practices set out in this Memorandum, with reporting, approval and monitoring arrangements modified as necessary, are put in place within each of the sponsored bodies for which they are responsible.

General Principles

3. As the use of taxpayers' money to provide official gifts or hospitality is a potentially contentious issue which can give rise to public criticism, care must be taken to avoid allegations of extravagance or impropriety and to ensure that there is clear justification for any expenditure in this category. It should also be borne in mind that whilst the provision of hospitality may be common practice in the private sector, it should be regarded as exceptional by civil servants. The following principles should be observed in all cases:
 - a. any expenditure on official hospitality may only be incurred where it can be shown to be in direct support of the Department's business or the taxpayer's interests;
 - b. the scale of any such expenditure must always be appropriate and proportionate to the needs of the occasion;

Approval Levels for Hospitality Expenditure


4. Approval must always be obtained at the appropriate level prior to any expenditure being incurred, although Deputy Secretaries, Agency Chief Executives and Core Directors may, if necessary, delegate their respective authority to levels not below those shown in the following table:-

TYPE OF HOSPITALITY		GRADE
Category 1	Hospitality for meetings (limited to tea/coffee, scones/biscuits)	DP or analogous
Category 2	Any Hospitality not falling into Category 1 above	Grade 7 or analogous

Documentary evidence of delegated authority should be retained for management/ audit trail purposes.

Payment of Invoices for Hospitality Expenditure

5. The following procedures must be followed when processing invoices for hospitality expenditure:
 - a. in addition to completing the normal invoice checking stamp on each hospitality invoice, the invoice should be impressed with the **DRD Hospitality Invoice Declaration Stamp** (see sample at Annex B) and duly completed. A supply of these stamps will be made available by Core Finance Division;
 - b. properly approved invoices for expenditure on hospitality must be processed through the appropriate Departmental Accounts Payable system and not submitted for payment on expense claim forms;
 - c. in order to provide a proper management/audit trail and to facilitate the monitoring of hospitality, it is important that expenditure on hospitality is coded to dedicated hospitality expense types within the DeCAS, Roads and Water accounting systems. Hospitality expenditure must not be coded to a general expense type such as "other incidental expenditure";

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- d. where invoices also include non-hospitality expenditure (eg room hire costs), it is important that such expenditure is coded to the appropriate expense type and not to the hospitality expense type; and
- e. full details (e.g. the event, the names and workplaces of officials/guests attending, itemised costs of food, refreshments, room hire, etc) must accompany any request for payment approval, with all documentation retained for possible management/audit scrutiny. At the very least, and with propriety and accountability in mind, the names of the attendees should be supplied.

Hospitality Registers (for recording Category 2 expenditure of £20 or more)

- 6. Occasions on which expenditure on Category 2 hospitality exceeds £20 must be recorded in Hospitality Registers in the format shown at Annex A. Responsibility for these Registers is as follows:

Grade of staff providing hospitality	Officer responsible for maintaining Register
Permanent Secretary	Permanent Secretary
Deputy Secretary	Deputy Secretary
Agency staff up to and including Chief Executive	Chief Executive*
Staff in DRD Core Divisions	Core Directors* (or, in the case of Corporate Services Unit, Central Claims Unit and Internal Audit Branch, the Head of the Business Unit concerned)

*Note: Chief Executives and Core Directors may formally delegate the keeping of such Registers to a nominated Grade 7.


- 7 All Registers must be available for periodic review. It should be borne in mind that all entries in Registers will be accessible in response to enquiries made under the Freedom of Information Act 2000.

Guidelines

- 8 The following guidelines cover the range of circumstances in which expenditure on hospitality might be expected to arise within DRD:

Provision of hospitality to Departmental staff
<ul style="list-style-type: none"> a. Managers should always consider the justification for (and the nature and extent of) any hospitality to be offered, and should exercise economy and good judgement in handling funds for this purpose. b. Any hospitality provided must be modest in scale (normally tea/coffee and scones/biscuits) and, other than in the circumstances highlighted at (c) below, the costs should only be met from Departmental funds in cases where two or more attendees are not members of the host's own staff (see, at sub-paragraph 5(e) above, the requirement to provide the names and workplaces of all those attending). c. Where it is considered appropriate to provide light refreshments (normally limited to sandwiches, fruit and non-alcoholic beverages) in order to enable the business of a large meeting to continue without interruption, the use of Departmental funds may be authorised.

Provision of hospitality to visitors from outside the Department

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- a. Where the provision of breakfast, lunch or dinner for visitors (including those from other Departments) will be of direct benefit to the Department and/or will facilitate urgent business, expenditure may be authorised, provided that:
 - the number of people attending is kept to the minimum necessary; and
 - where the number of civil servants attending is greater than the number of external (ie non-Civil Service) guests, the approval of the Permanent Secretary or the relevant Deputy Secretary, Agency Chief Executive or Core Director has been obtained in advance.
- b. Public sector facilities should be utilised wherever possible. If this proves impractical, any hotels or restaurants used should be appropriate to the purpose.
- c. Any meals should be on a modest scale, with the total cost per head not exceeding £35 and the element for non-food items not exceeding one quarter of the total bill. Where no service charge is included, a tip of 10% is considered reasonable. Payment of the tip should be included in the associated receipt, thus providing an adequate audit trail for any expenditure claimed.
- d. The total cost per head figure of £35 at (c) above should be regarded as the ceiling and should by no means be considered to be the norm. This figure should not be exceeded other than in exceptional circumstances, which must be documented.
- e. Expenditure may not be authorised for visits to theatres or other forms of public entertainment.


Hospitality during conferences, workshops, etc
<p>Hospitality may be provided to those participating in seminars, approved team building sessions, workshops, etc. Any resulting expenditure, which may be approved by the relevant Agency Chief Executive or Core Director, is subject to the following guidelines:</p> <ol style="list-style-type: none"> a. the provision of meals and light refreshments will be at the discretion of the Permanent Secretary or the relevant Deputy Secretary, Agency Chief Executive or Core Director, as appropriate. b. the facility will <u>not</u> be extended to cover alcoholic drinks. c. Public sector establishments should be considered as a first choice of venue and expensive hotels/locations/premises should be avoided. <p>In the case of hospitality provided at events of this nature, the names and workplaces of those participating do not need to accompany requests for payment approval. Such a requirement (sub-paragraph 5(e) above) is primarily an evidence issue for use on other occasions, ie to demonstrate that external attendees were present.</p>

- 9 No spouses or guests of individual members of the Department's staff are eligible to receive official hospitality other than in exceptional circumstances and only with specific line management approval by an officer at Grade 5 level or above.

Alcoholic drinks

10. Those Senior Civil Service staff whose duties may involve the occasional provision of small-scale hospitality to external guests should adhere to the following guidelines in respect of any official event/function for which they have responsibility:
 - a. in cases where alcoholic drinks are made available, an adequate selection and supply of low-alcohol alternatives or soft drinks should always be provided; and
 - b. other than at official events/functions, the use of Departmental funds may not be authorised for expenditure on casual drinks on non-NICS premises.

Expenditure on Official Gifts

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11. The regulations governing expenditure on the provision of official gifts are contained in Chapter 25 of Government Accounting (NI), which stipulates that, unless covered by specific delegation arrangements, all gifts which Departments propose to make require the prior approval of the Department of Finance and Personnel (DFP).
12. Official gifts should not be regarded as part of the normal conduct of business. In those exceptional circumstances in which the provision of a gift is considered appropriate, the gift should amount to no more than a token acknowledgement, at modest expense, rather than an item which might be perceived as a reward or inducement.

Gift Register

13. Core Personnel will maintain a central Register, in respect of all of DRD, detailing those rare occasions on which the provision of an official gift is made. All requests for authorisation to proceed with the provision of such a gift should be submitted to Core Personnel Division, which will seek the necessary approval from DFP.
14. If a Core Division or Agency has any doubts regarding the propriety of a particular proposal in this area, Core Personnel or Finance Division will seek advice from DFP on its behalf.


Summary

15. As well as detailing the strict rules and requirements governing the provision of official gifts and hospitality, the guidance contained in this Memorandum is intended to help and inform the individual judgements to be made by staff when such circumstances arise. Any further advice or assistance on Departmental procedures regarding expenditure in this area, or on related questions of propriety, may be obtained from Finance Division or Core Personnel respectively.
16. This Memorandum supersedes and replaces DRD Office Memorandum 3/05.

[Signed]

DAVID STERLING
 Principal Establishment and Finance Officer

9 January 2007

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ANNEX B

HOSPITALITY INVOICE DECLARATION

HOSPITALITY INVOICE DECLARATION (for all hospitality invoice payments)		
Declaration / confirmation		Yes / No
1	Expenditure accords with the current DRD rules on hospitality.	
2	The following information accompanies the invoice: <ul style="list-style-type: none"> • purpose of the event • names and workplaces of officials and guests • itemised costs of food, refreshment and room hire 	
3	I confirm that I have the authority to approve the expenditure	
NAME OF AUTHORISING OFFICER		
Grade	Signature	Date

The above stamp must be impressed on all invoices for hospitality and must be completed and signed.

Annex 4

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Office Memorandum 3/06


To: All DRD Staff

ACCEPTANCE OF GIFTS AND HOSPITALITY

Purpose

1. The purpose of this Memorandum is to highlight the updated NICS-wide guidance governing the acceptance by NI civil servants of gifts, hospitality and awards from third parties. As well as setting out the basic principles which apply in this area, this revised guidance details the new reporting, approval and monitoring processes which must now be followed within DRD.
2. Sponsoring Divisions should ensure that the principles and practices set out in this Memorandum, with reporting, approval and monitoring arrangements modified as necessary, are put in place within each of the sponsored bodies for which they are responsible.

Policy

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3. The NICS policy on the acceptance of gifts, hospitality and awards is contained in Sections 1.9 and 1.10 of the Conduct Chapter of the NICS Staff Handbook. Whilst acknowledging that the NI Civil Service has recently undergone considerable organisational and cultural change, with private sector practices and more business-orientated approaches adopted in certain areas, the Handbook guidance reflects the basic principle that civil servants should not receive benefits of any kind from a third party, either directly or indirectly, which might be seen to compromise their personal judgement, integrity or impartiality or which might bring their employing Department into disrepute. More specifically:
- a. no civil servant should do anything which might give rise to the impression that he/she has been influenced by a gift or other consideration to show bias for or against any person or organisation while carrying out his/her official duties; and
 - b. it is an offence, under the Prevention of Corruption Acts of 1906 and 1916, for a civil servant, in his/her official capacity, to:
 - corruptly accept any gift or consideration from a third party as an inducement or reward for doing, or refraining from doing, anything in that capacity;
 - show favour (or disfavour) to any person or organisation; or
 - receive money, gifts or consideration from a person or organisation holding or seeking to obtain a Government contract.
4. In addition, it should be noted that:
- a. the policy should also be seen as applying to **spouses, partners or other associates** if it can be argued or perceived that a gift or offer of hospitality is in fact for the benefit of the official;
 - b. **external persons** acting on behalf of the NICS (eg consultants, contracted staff) must also abide by the policy. If it is believed that an external person may have breached the policy, the matter should be reported to the appropriate Core Director or Agency Chief Executive, who will take the matter forward with the individual or his/her company. This requirement should be notified to external staff before they start work within any NICS Department or Agency; and
 - c. any breach of the rules of conduct can lead to disciplinary action and, in some cases (see sub-paragraph 3(b) above), can be a criminal offence.

Registers

5. In order to counter any possible accusations or suspected breaches of the rules of conduct, Registers of Gifts, Hospitality and Awards must be maintained, updated and monitored in respect of all offers of gifts, hospitality and awards made to staff. These Registers must, as a minimum, provide the level of detail documented in the sample at **Annex A**.

The following table sets out the particular requirements for such Registers in DRD and specifies who is responsible for maintaining and monitoring them:

PURPOSE/ REQUIREMENTS	1	2	3
	AGENCY/ BUSINESS UNIT REGISTERS	SENIOR CIVIL SERVICE REGISTER	PERMANENT SECRETARY REGISTER
Purpose of Register	To record all offers of gifts, hospitality and awards made to staff up to and including Grade 6 and analogous	To record all offers of gifts, hospitality and awards made to Senior Civil Service staff (other than the Permanent Secretary) in DRD	To record all offers of gifts, hospitality and awards made to the Permanent Secretary
Who is responsible for maintaining and updating the Register?	Agency Chief Executive, Core Director or an officer nominated by	Permanent Secretary's Office	Permanent Secretary's Office

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	them (Note: For the following DRD business units, responsibility falls to the relevant Deputy Secretary (or his/her nominated officer): Corporate Services Unit (CSU); Central Claims Unit (CCU); and Internal Audit Branch (IAB))		
Who is responsible for monitoring the Register?	Agency Chief Executive or Core Director (or, for CSU, CCU and IAB, the relevant Deputy Secretary)	Permanent Secretary	Head of NICS


6. Whilst the maintenance/updating of the Registers at Column 1 of the above table may be formally delegated to Heads of individual Business Units, it is the responsibility of Core Directors and Agency Chief Executives (and, for CSU, CCU and IAB, the relevant Deputy Secretary) to put them in place, highlight their importance to staff and monitor them on an annual basis. Similar responsibilities fall to the Permanent Secretary in respect of the necessary separate Register for his/her Senior Civil Service colleagues within the Department (Column 2).
7. All Registers must be available for periodic review. It should be borne in mind that all entries in the Registers will be accessible in response to requests made under the Freedom of Information Act 2000.

Gifts: General

8. The general principle is that all gifts offered should be refused. However, seasonal or promotional gifts (such as calendars, diaries, pens, IT software/accessories, etc) which bear Company names and/or logos of the provider of the gift, and which have a value of less than £50, may be accepted by individuals without the need for them to be approved in advance. Acceptance of any other gift is subject to prior approval by management and must be declared by the recipient in the appropriate Divisional/Agency Register.
9. More expensive or substantial items valued at £50 or more, and gifts of cash, gift vouchers or gift cheques, cannot be accepted unless they clearly meet the criteria for the receipt of gifts in recognition for specific work done in an individual's own time (see paragraph 13 below). Gifts of lottery tickets, alcohol, cigarettes or cigars should not be accepted under any circumstances and should, where necessary, be returned to the donor with a suitably worded letter (see example at **Annex B**). With the exception of trivial/inexpensive items, all gifts offered, even if declined/returned, must be recorded in the appropriate Register.
10. Trade, loyalty or discount cards by which an officer might personally benefit from the purchase of goods or services at a reduced price are classified as gifts and should be refused or returned to the sender.
11. "Frequent flyer" cards offered by airlines can be used by staff to avail of special departure lounges and priority booking and check-in. Staff must not make private use of any gifts/benefits (eg air miles) which derive from flights paid for from the public purse. Any such benefits received must be surrendered to the Department and used where possible to reduce the cost of subsequent official business travel.
12. Apart from trivial/inexpensive seasonal gifts (eg diaries), no gifts of any kind from any source should be accepted by anyone involved in the commissioning, procurement, monitoring or management (including payment authorisation) of a contract. This will ensure that no criticism can be made regarding bias to a particular company or supplier.

Gifts received in recognition of work done

13. On no account should a gift or gratuity be solicited or requested. Where gifts by way of gratuities, vouchers or book tokens, etc for lectures, broadcasts or similar engagements are offered, acceptance should be based on how much of the preparatory work for the event was done in the officer's own time, how much in official time and the extent to which

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Departmental resources (other than, for example, the use of an officially-issued laptop at home), were used in preparation for the event. The following guidelines should be applied:

- a. if the preparation was carried out entirely in the individual's own time and the event took place outside normal working hours at no expense to the Department, it would be acceptable for the individual officer to retain the whole fee, token or other gift;
 - b. if, however, the preparation was done wholly in the Department's time and with the use of Departmental resources, no fee, token or other gift should be accepted unless the event is carried out outside normal working hours, in which case a fee, token or other gift to the value of up to **£50** is acceptable;
 - c. if the preparation was carried out entirely in the individual's own time and the event took place during normal working hours, a fee, token or other gift to the value of up to **£50** would again be acceptable; and
 - d. if both the preparation and delivery of the lecture or broadcast were carried out in an officer's own time but Departmental facilities were used for the typing and/or preparation of the associated slides/overheads, etc, a fee, token or other gift to the value of not more than **£75** is acceptable.
14. All gifts received in recognition of work done, as well as the decision reached in each case, should be recorded in the appropriate Register of Gifts, Hospitality and Awards.
15. In the case of 13(b), (c) or (d), the Department can, if it so chooses, charge the organisation or body a fee based on the salary costs of the individual and/or the official resources used. If a series of gifts from the same source exceed the monetary limits set out above, the same rules apply.


Gifts: Reporting and Approval Processes

16. If gifts (other than trivial or inexpensive items) are received, approval should be sought, using the form at **Annex C (Part 1)** as follows:

<u>Category of Recipient</u>	<u>Approving Officer</u>
Staff up to Grade 6 level (other than those in CSU, CCU and Internal Audit Branch)	Relevant Core Director or Agency Chief Executive
Staff up to Grade 6 level in CSU, CCU and Internal Audit Branch	Relevant Deputy Secretary
Senior Civil Service staff	Permanent Secretary (or, for SCS staff below Chief Executive level in Agencies, the relevant Agency Chief Executive)
Permanent Secretary	Approval subject to the outcome of discussions at the Permanent Secretary Group.

If the recipient has rejected or will reject the gift, he/she merely needs to send details to his/her line manager for inclusion in the appropriate Register.

17. In each case submitted to him/her, the relevant Approving Officer will decide (and will convey his/her decision in writing or by e-mail) whether to:

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- a. allow the recipient to keep the gift;
- b. arrange for the gift to be returned to the donor with a suitably worded letter explaining why it cannot be accepted (see example at **Annex B**);
- c. use/display the gift in, or dispose of it by, the Department; or
- d. donate the gift to an appropriate registered charity.

The Approving Officer must enter his/her decision on the relevant form (see **Annex C (Part 2)**) and ensure that details are recorded in the appropriate Register of Gifts, Hospitality and Awards.

Hospitality: General


18. The handling of offers of hospitality is recognised as being much more difficult to regulate and is an area in which staff must exercise careful judgement. The main point is that, in considering whether or not to accept an offer of hospitality from a third party, staff need to be aware of, and to guard against, the dangers of misrepresentation or perception of favouritism by a competitor of the host.
19. The acceptance of what would normally be regarded as conventional hospitality (eg working lunches) should not present any problems if there is some official means to reciprocate the offer and provided that the hospitality is limited to isolated occasions and its acceptance is in the interests of the Department. However, hospitality which would not be acceptable would include invitations to frequent or more expensive social functions which have no direct link to official business (eg sporting or leisure events, complimentary tickets for the theatre, opera or ballet, etc), particularly any which come from the same source and those which involve travel, hotel or other subsistence expenses. **Annex D** provides summary guidance as to the action required in some of the more common situations.
20. It can be argued that:
 - a. if officers are to achieve the best value for money in dealings with suppliers or consultants, then they need to build up contacts; and
 - b. it is quite legitimate for officers to have a close working relationship with organisations or individuals which may involve a degree of hospitality.

There may also be instances where staff receive invitations to events such as Annual Conferences or Dinners run by voluntary organisations. Attendance at such events is considered an integral element in building and maintaining relationships with these sectors and any hospitality received is likely to be reasonable and proportionate, and therefore acceptable. Additionally, very occasional acceptance of meals or tickets to public sporting, cultural or social events may be accepted if attendance is justified as being in the Department's or Agency's particular business interest. But it will be for the officer and his/her managers to demonstrate clearly that acceptance was in the Departmental interest and to record any such offers, whether accepted or not, in the appropriate Register of Gifts, Hospitality and Awards.

21. As in the case of offers of gifts, no hospitality of any kind from any source should be accepted by anyone involved in the commissioning, procurement and/or renegotiation of a contract. This will ensure that no criticism can be made regarding bias to a particular company or supplier.

In deciding whether or not to accept hospitality from a third party, criteria to be borne in mind should include the following:

- Would acceptance help business effectiveness?
- Would acceptance place an obligation on the recipient?
- Is the proposed hospitality frequent, lavish or prolonged?
- Is the proposed hospitality totally unconnected with any decision affecting the third party concerned?
- Can acceptance be justified?

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- If accepted, would the benefits gained (ie to the Department or the wider NI Civil Service) outweigh the risk of possible misinterpretation of the hospitality?
22. Care should be taken to ensure that neither the Department nor any of its individual business areas is over-represented at an event or function. In order to avoid this happening,
- a. enquiries should be made from the host as to whether other staff have received similar invitations; and
 - b. corporate consideration should be given to all invitations.

Hospitality: Reporting and Approval Processes

23. In all instances where other than conventional hospitality (eg infrequent working lunches) is offered, approval should be sought, using the form at **Annex C (Part 1)**, as follows:

<u>Category of Recipient</u>	<u>Approving Officer</u>
Staff up to Grade 6 level (other than those in CSU, CCU and Internal Audit Branch)	Relevant Core Director or Agency Chief Executive
Staff up to Grade 6 level in CSU, CCU and Internal Audit Branch	Relevant Deputy Secretary
Senior Civil Service staff	Permanent Secretary (or, for SCS staff below Chief Executive level in Agencies, the relevant Agency Chief Executive)
Permanent Secretary	Approval subject to the outcome of discussions at the Permanent Secretary Group.


If the recipient has rejected or will reject the offer of hospitality, he/she merely needs to send details to his/her line manager for inclusion in the appropriate Register.

24. In each case submitted to him/her, the relevant Approving Officer will decide (and will convey his/her decision in writing or by e-mail) whether to:
- a. allow the recipient to accept the offer; or
 - b. arrange for the offer to be declined via a suitably-worded letter to the donor explaining why it cannot be accepted (see example at **Annex B**);

The Approving Officer must enter his/her decision on the relevant form (see **Annex C (Part 2)**) and ensure that details are recorded in the appropriate Register of Gifts, Hospitality and Awards.

Awards or Prizes

25. A member of staff should consult with his/her line management if he/she is offered an award or prize in connection with his/her official duties. He/she will normally be allowed to keep it, provided that:

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- a. there is no risk of public criticism;
- b. it is offered strictly in accordance with the officer's personal achievement; and
- c. it is not in the nature of (and cannot be construed as) a gift, inducement or payment for a publication or invention to which other rules apply.

26. Approval should be sought, using the form at **Annex C (Part 1)**, as follows:

<u>Category of Recipient</u>	<u>Approving Officer</u>
Staff up to Grade 6 level (other than those in CSU, CCU and Internal Audit Branch)	Relevant Core Director or Agency Chief Executive
Staff up to Grade 6 level in CSU, CCU and Internal Audit Branch	Relevant Deputy Secretary
Senior Civil Service staff	Permanent Secretary (or, for SCS staff below Chief Executive level in Agencies, the relevant Agency Chief Executive)
Permanent Secretary	Approval subject to the outcome of discussions at the Permanent Secretary Group.

If the recipient has rejected or will reject the award/prize, he/she merely needs to send details to his/her line manager for inclusion in the appropriate Register.

27. In each case submitted to him/her, the relevant Approving Officer will decide (and will convey his/her decision in writing or by e-mail) whether to:


- a. allow the recipient to accept the award/prize; or
- b. arrange for the offer to be declined via a suitably-worded letter to the donor explaining why it cannot be accepted (see example at **Annex B**);

The Approving Officer must enter his/her decision on the relevant form (see **Annex C (Part 2)**) and ensure that details are recorded in the appropriate Register of Gifts, Hospitality and Awards.

Summary

28. The overriding intentions in this area are:

- a. to ensure that, in cases of this nature, employees display a commitment to the NI Civil Service's core values of integrity, honesty, objectivity and impartiality;

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- b. to protect individual members of staff, at all grades, from real or perceived undue influence and possible criticism; and
- c. to safeguard the Department, in general, against any allegations of impropriety.
29. As the above guidance cannot cover every eventuality, immediate advice should be sought from line management or Core Personnel Division in all cases where the appropriateness of accepting a particular gift, award or offer of hospitality is in doubt. The HM Treasury booklet on Regularity, Propriety and Value for Money, available on the HM Treasury website (<http://www.hm-treasury.gov.uk>) may also be a useful source of advice and assistance.
30. This Memorandum supersedes and replaces DRD Office Memorandum 2/05.


(Signed)

David Sterling

DAVID STERLING

Principal Establishment and Finance Officer

9 October 2006

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ANNEX B

TEMPLATE LETTER FOR RETURN OF OFFERS OF GIFTS/HOSPITALITY

(Note: The content of this template should be tailored as appropriate to suit each individual circumstance)

To: Contact name

Name of company

Address of company

Date

Dear

The Northern Ireland Civil Service operates a Gifts and Hospitality Policy in order to ensure that, in the interests of public confidence, high standards of propriety are seen to be exercised in all aspects of the conduct of its official business.


In the light of this policy, I am obliged to return your offer of (*Insert description of gift/hospitality concerned*). This is not in any way meant to offend or to imply that your offer was made in anything but good faith, but merely reflects the requirement to protect both individual members of staff and the Northern Ireland Civil Service from any possible allegations or criticism. I am confident that you will accept our response in that spirit.

Yours

ANNEX C (Part 1)


Note: Part 1 to be completed by the recipient. Part 2 overleaf to be completed by the issuing Officer)

GIFT/HOSPITALITY/AWARD FORM (Part 1)
(AUTHORISATION/OFFER ACCEPTED/OFFER DECLINED)

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Name of Departmental recipient	
Name of ultimate recipient if not as above (eg, if gift/hospitality/award was intended for, or passed on to, someone else)	
Date of offer	
Name of donor	
Description of item offered	
Why was the offer made?	
Estimated/actual value of item offered	
Was the offer declined?	
Is there a current/potential contract with the donor? If <u>yes</u> , give details	
Recipient's name (Block Capitals) Grade Signature Date	

PLEASE TURN OVER FOR PART 2 (TO BE COMPLETED BY THE APPROVING OFFICER)

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ANNEX C (Part 2)

For completion by the Approving Officer

GIFT/HOSPITALITY/AWARD FORM (Part 2) (AUTHORISATION/OFFER ACCEPTED/OFFER DECLINED)	
Is the recipient being allowed to accept the gift/offer? (Enter Yes or No , along with the reasons for the decision)	
Is the gift being returned? (If so, an appropriate letter to the donor should accompany it)	
Has the gift been used/displayed within the Department? (If so, give details)	
Has the gift been donated to an appropriate registered charity? (If so, give details)	
Has the appropriate Gifts, Hospitality and Awards Register been updated?	
<p><u>NOTE: All decisions made and approvals given should be in strict accordance with the rules governing the acceptance of gifts, hospitality and awards from third parties (ie as detailed in Office Memorandum 3/06)</u></p> <p>Approving Officer's name (Block Capitals)</p> <p>Grade</p> <p>Signature</p> <p>Date</p>	

NOTE: THIS FORM IS NOT VALID UNLESS BOTH PARTS 1 AND 2 HAVE BEEN COMPLETED

ANNEX D

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Type of gift/hospitality	Approval required
1. Modest conventional hospitality (eg working lunch).	No
2. More formal lunch or dinner, by prior invitation.	Prior approval required from Core Director, Agency Chief Executive, Deputy Secretary, Permanent Secretary or Permanent Secretary Group, as appropriate.
3. Hospitality for a team (ie a group of staff from one business area).	Prior approval required from Core Director, Agency Chief Executive, Deputy Secretary, Permanent Secretary or Permanent Secretary Group, as appropriate.
4. Commemorative or similar occasion organised by contractor, consultant or supplier (eg to celebrate an anniversary, opening or handover).	Prior approval required from Core Director, Agency Chief Executive, Deputy Secretary, Permanent Secretary or Permanent Secretary Group, as appropriate.
5. Trade promotion on company's premises with meals or drinks.	Prior approval required from Core Director, Agency Chief Executive, Deputy Secretary, Permanent Secretary or Permanent Secretary Group, as appropriate.
6. Annual dinner of Professional Institute or Association: <ul style="list-style-type: none"> • where the officer is a guest of the Institution or Association; or • where the officer is a guest of a particular consultant, contractor or supplier. 	Prior approval required from Core Director, Agency Chief Executive, Deputy Secretary, Permanent Secretary or Permanent Secretary Group, as appropriate.
7. Overseas visit to inspect manufacturers' products/premises.	Prior approval required from Core Director, Agency Chief Executive, Deputy Secretary, Permanent Secretary or Permanent Secretary Group, as appropriate.

NOTE: When seeking prior approval to accept any offer of hospitality in Categories 2-7 above, the form at Annex C (Part 1) must be used. In addition, all such offers must be recorded in the appropriate Register of Gifts, Hospitality and Awards.