

## Gifts, entertaining and hospitality policy

### Overview

The purpose of this policy is to ensure that staff are clear about the gifts and hospitality that they can accept, and to avoid any allegation of improper conduct or bias or the perception thereof. It reflects Cafcass values of being transparent and sets out how Cafcass ensures compliance with government accounting and Treasury rules.

### Why is this important for children and families?

It is important that Cafcass employees are seen by children and families as honest, objective and impartial to give them confidence in both the Family Court process overall and the individuals entrusted with making recommendations about the future of their family. This is in line with the Civil Service Code and the Social Work England Professional Standards.

### 1 Receiving gifts, entertainment or hospitality

- 1.1 It is reasonable for staff to accept modest gifts, for example, a token gift from a family at the end of a case. Monetary gifts should never be accepted and gifts and/or entertainment should not be accepted in return for, or in anticipation of, any action. Staff must not accept gifts, benefits or hospitality that might be thought to influence their judgement or where to do so could discredit Cafcass. Staff are personally responsible for making declarations, a failure to make a declaration or a breach of this policy may amount to misconduct resulting in disciplinary action.
- 1.2 Where a member of staff accepts a gift or hospitality, they must inform their line manager and the receipt of the gift, benefit or hospitality must be recorded on the appropriate form (see annex 1). If in any doubt about whether a gift can be accepted or if there are exceptional circumstances, staff should consult their line manager or seek advice from Cafcass Finance via the Head of Management Accounts.
- 1.3 The following are examples of where gifts, entertaining or hospitality can be accepted:
  - Items with an estimated value of under £25 such as any tangible gifts or benefits e.g. chocolates, flowers, calendars. These should be retained by the member of staff or shared with their office (BSM) and recorded in the Cafcass record of all entertainment/gifts register at Annex 1;
  - Where the value is greater than £25 - tangible gifts such as books, bottles of wine, glassware etc; and any other benefits such as tickets to sporting and cultural events, provision of services etc. which they have received in connection with their employment should be approved by an Assistant Director or Head of Profession and recorded in the register;
  - Hospitality which is accepted as a result of a professional commitment and where the member of staff is attending to represent Cafcass either as an individual or part of a group need not be declared.

This could include the following situations:

1. Working meals taken in the course of meetings or training schemes and meals provided during fact finding, networking or information sharing events;

2. Attendance at formal functions as a representative of Cafcass; a formal function is an event promoted by an organisation, usually ceremonial in nature, for which an official invitation is issued to and accepted on behalf of Cafcass. This would include award ceremonies at which Cafcass or the individual has been nominated for awards;
  3. Attendance at formal social functions where invitations have been issued to all members of staff;
  4. Attendance by a member of staff at seminars and training events which would in other circumstances be the subject of a charge to attendees;
  5. Modest hospitality offered by families or schools in the course of a case related visit.
- 1.4 The following are examples of where gifts or hospitality should not be accepted:
- Gifts, benefits and/or hospitality regardless of value should not usually be accepted in ANY situation where Cafcass is potentially entering into a contractual arrangement or is in dispute with the supplier;
  - Any gift from a solicitor or solicitors' firm should not be accepted to avoid any suggestion of preferential treatment.
  - Where acceptance would generate a conflict of interest as per the Cafcass policy.
- 1.5 It is not appropriate for Cafcass staff to offer gifts to others, nor will funds be available for gifts.

## 2 Entertaining and hospitality

- 2.1 Control of expenditure on entertainment rests with the Accounting Officer under Ministry of Justice Spending controls. No budget holder or member of staff has authority to incur expenditure on entertainment without prior approval from the Budget Approval Panel. The costs of entertainment at public expense must be modest and defensible. Quotations must be subject to Cafcass procurement rules. Petty cash must not be used for entertainment costs without Budget Approval Panel agreement.
- 2.2 The following circumstances are examples where official entertaining may be allowed:
- **External entertaining** - The presumption is that the conduct of Cafcass business will not require entertainment so any provided must be clearly in the public interest and demonstrably further Cafcass objectives. Entertainment, which may be offered, includes formal lunch or dinner with drinks or a drinks party but does not include other forms of entertainment such as theatre visits. The number of guests must be kept to the minimum necessary but must exceed (or at least match) the number of host staff.
  - **Internal entertaining** – For Cafcass only internal meetings, refreshments cannot be provided for unless there is a Budget Approval Panel (BAP) agreement. A working lunch may be permitted so that business at a lengthy meeting can be transacted more efficiently than if a break for lunch was taken. Working lunches may prove more cost effective than to allow staff to claim subsistence for their food arrangements. Further guidance on the provision of lunch during internal group events and what is permissible can be found within the Expenses Reimbursement Policy. If outside catering is deemed to be cost effective, then approval should be sought from the Budget Approval Panel.
  - **Management entertaining** - Management entertaining on a modest scale and for particular events, for example award ceremonies, may be allowed but permission should be sought from the Budget Approval Panel.

### 3 Records

- 3.1 Each local office must maintain records of all gifts received or given and entertainment provided or offered. An electronic return must be sent by the Business Services Manager to the Finance Transactions team on a quarterly basis. Quarterly returns will be checked for any inappropriate acceptance and any improper items will be addressed with individual staff. Local records should be retained for 1 year (and be available for audit at any time) and then securely destroyed. National Office records will be retained for 6 years.
- 3.2 Each local office must maintain records of all gifts received or **not accepted** and entertainment provided or offered. An electronic return must be sent by the Business Services Manager to the Finance Transactions team on a quarterly basis. **Quarterly returns will be checked for any inappropriate acceptance. Any improper items will be addressed with individual staff. Local records should be retained for 1 year (and be available for audit at any time) and then securely destroyed. National Office records will be retained for 6 years. Owned by**

<b>Policy Owner</b>	Heather Jeffries
<b>Implemented</b>	30 April 2019
<b>Version</b>	4.0
<b>Amended</b>	August 2018 (2.1): Retention period amended and clarification added to solicitor's section.  Update to the whole document in particular the receiving gifts section. Reviewed in August 2017, no changes required.  V 4.0 March 2024– policy owner amended to Heather Jeffries, Addition of importance to children & families and references to BAP, removal of references to the Governance team. No actual changes to the policy on gifts but clarification on receiving hospitality
<b>Next Review</b>	March 2027

**Annex 1: Cafcass record of all entertainment / gifts register**

**GIVEN/RECEIVED IN AN OFFICIAL CAPACITY**

**RECEIVED**

DATE RECEIVED	
NAME OF GIVER	
NAME OF RECEIVER	
NATURE OF GIFT	
ESTIMATED COST	
ACCEPTED FOR SELF OR OTHER	

**GIVEN**

NATURE OF GIFT	
RECIPIENT	
JUSTIFICATION*	
DESCRIPTION OF GIFT	
COST	
WHETHER TREASURY APPROVAL WAS SOUGHT (if applicable)	

**RECORD OF ENTERTAINMENT PROVIDED**

NATURE OF EVENT	
WHETHER APPROVAL SOUGHT FROM LINE MANAGER/FINANCE DIRECTOR	
JUSTIFICATION*	
COST	
NAME OF HOSTS	
NAME OF GUESTS	

**\*This needs to be in terms of benefit to Cafcass**