



## Gifts and Entertaining Policy

### **Overview of Policy**

The purpose of this policy is to avoid the risk of an allegation of improper conduct by Cafcass staff when receiving or providing gifts and/or entertainment in an official capacity. It reflects Cafcass values of being transparent and open to public scrutiny.

Accepting gifts or entertainment from service users, other members of the public, contractors or suppliers may lead to allegations of impropriety, bias or restraint of trade and compromise the position of Cafcass.

This policy sets out how Cafcass can reduce the risks and ensure compliance with government accounting and Treasury rules.

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 Receiving Gifts or Entertainment**

1.1 It is the responsibility of all individual Cafcass staff to:

- Act in accordance with this policy.
- Deal appropriately and proportionately with any offers of small gifts, favours, tokens of goodwill or hospitality made by service users, solicitors, suppliers or potential suppliers of goods or services to Cafcass.
- Decline any major gifts. Declare any gift or offer of hospitality in accordance with Cafcass' procedures as set out in this policy.

1.2 Staff may only in certain circumstances accept modest gifts where to refuse is likely to cause offence. Monetary gifts should never be accepted. Staff must make clear that gifts and/or entertainment are not accepted in return for, or in anticipation of, any action. Staff must at all times be and be seen to be fair, impartial and unbiased.

1.3 The receipt of gifts or hospitality can create conflicts of interest and may give rise to concerns about the integrity of either the donor or staff member. At the same time Cafcass recognise that to refuse a small token may cause embarrassment or offence. When offered gifts or hospitality staff should be aware of the context in which they are offered.

1.4 Staff must not accept gifts, benefits or hospitality that might in any circumstances be thought to influence their judgement or where to do so could bring discredit upon Cafcass.

1.5 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). This record will then be included in the register of gifts and Hospitality.

1.6 The following are examples of where gifts or hospitality may be offered and the appropriate actions that staff must take:

Gift donor	Examples of gifts/hospitality and correct actions
Examples include Service users Suppliers, or Corporate sponsors	<p>For items with an estimated value of under £25 such as any tangible gifts or benefits eg chocolates, calendars, diaries, office equipment of modest value, These should be retained in the office of the member of staff and logged with Finance to be included in the register.</p>
	<p>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 with Cafcass should be approved by senior managers under this policy and logged.</p>
	<p>The Governance Team and Finance Department should be consulted if there is any doubt if the gift should be accepted.</p>
	<p>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</p>
	<p>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. If a decision is taken to accept an offer in such circumstances the receipt should be declared and reasons for it clearly set out.</p>
Solicitors	<p>Any gifts offered by individual firms or individual solicitors should not be accepted to avoid any suggestion of preferential treatment.</p>

1.5 Staff should consult their line manager or the [Governance Team](#) for advice on gifts and entertainment whenever there is an unexpected offer of gift and/or hospitality. If in any doubt about whether a gift can be accepted or if there are exceptional circumstances seek advice from Cafcass Legal.

1.6 Staff should carefully consider whether to accept any invitation, taking into account:

- The perceived value rather than the actual cost to the provider (host);
- The frequency of the hospitality;
- The potential for embarrassment and/or any conflicts of interests;
- The context of the hospitality e.g. was the member of staff invited to a function as the representative of Cafcass;
- The nature of the relationship between Cafcass and the provider host. In general terms, any contact which is about information sharing, or promoting joint enterprises is less likely to be perceived as creating an obligation than contacts which may lead to a contractual relationship.

1.7 Members of staff need not declare the acceptance of the following:

- Working meals including meals taken in the course of meetings or training schemes and meals provided by other public sector organisations during fact finding or information sharing events;
- 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 has been nominated for awards;
- Attendance at formal social functions in relation to which invitations have been issued to all members of staff;
- Attendance at information gathering or sharing events such as meetings with representatives of other public sector organisations;
- Hospitality which is wholly unrelated to the recipient's status as a member of staff of Cafcass;
- Attendance by a member of staff at seminars and training events which would in other circumstances be the subject of a charge to attendees;
- Hospitality provided at such events as long as it was proportionate to the nature of the event (ie a buffet lunch),

## **2 Making gifts**

- 2.1 It will not be appropriate for Cafcass staff to offer gifts to others, nor will funds be available for gifts. It is important that staff do not put themselves in a position where allegations of impropriety could be made by others with whom they come into contact in the course of official business.

## **3 Entertaining**

- 3.1 **Delegations for entertainment.** Control of expenditure on entertainment rests with the Accounting Officer. Certain budget holders have delegated authority to incur entertainment expenditure from their own budgets. No other budget holder or member of staff has authority to incur expenditure on entertainment without prior approval from the Accounting Officer.

- 3.2 **Official entertaining – external.** The presumption is that the conduct of Cafcass business will not require entertainment. However, the cost of entertainment may be met where business cannot be advanced by any other suitable means; or where failure to offer entertainment would cause offence, damaging the interests of Cafcass. All entertainment 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.

- 3.3 **Official entertaining - internal (working lunches).** A staff meeting, without outsiders, is not allowed entertainment at the public's expense. A working lunch is the only exemption and is 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 essential guidance on the provision of lunch during internal group events and what is permissible can be found within the [Expense Reimbursement – Further Guidance](#) document.

3.4 Management entertaining. Management entertaining on a modest scale and for particular events, for example award ceremonies, may be permissible but prior advice must be sought from the Finance Department.

3.5 **Cost of entertainment.** The costs of entertainment at public expense must be modest and defensible. Quotations must be subject to Cafcass procurement rules. Budget holders with delegated authority to incur entertainment expenditure must not exceed their provision.

#### 4 Referral to Finance Department

4.1 Where managers without delegated authority apply to the Finance Department for prior approval to incur expenditure, following information will be required:

- circumstances giving rise to the proposed entertainment;
- justification in terms of Cafcass objectives;
- type and cost of entertainment;
- details of guests and number of hosts.

#### 5 Records

5.1 Each local office must maintain records of all gifts received or given and entertainment provided or offered. An electronic return must be sent to the appropriate Finance Manager on a quarterly basis.

5.2 Government Accounting requires Cafcass to maintain a register recording all gifts and entertainment received. The register must detail the gift or entertainment and its originator, estimated value, and, for gifts their ultimate. The records and register must be kept up to date and be available for inspection at any time. A blank form to submit to the Finance Manager which can be photocopied and used is attached at Annex 1.

5.3 Quarterly returns will be checked for any inappropriate acceptance. Any improper items will be addressed with individual staff.

5.4 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.

<b>Owned by</b>	Melanie Carew
<b>Implemented</b>	30 April 2019
<b>Version</b>	3.0
<b>Amended</b>	Update to the whole document in particular the receiving gifts section. Reviewed in August 2017, no changes required.
<b>Next Review</b>	April 2020

**ANNEX.1 CAFCASS RECORD OF ALL ENTERTAINMENT/GIFTS****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