



## **GUIDANCE ON THE ACCEPTANCE AND PROVISION OF GIFTS AND HOSPITALITY**

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## 1. INTRODUCTION

1. This guidance on the acceptance and provision of gifts, hospitality and rewards<sup>1</sup> is issued taking account of **DAO 10/06 (revised 3 September 2009)** which provides a common NICS-wide set of guidelines on acceptance and provision of hospitality. The DAO required departments to review their current guidelines to ensure that their guidance on the *provision* of hospitality is 'fit for purpose'.
2. The way in which our public service conducts its business, including the way individual public servants go about theirs, is of prime importance to every head of Department, chief executive and public servant. The public expects the conduct of officials to be above reasonable reproach, therefore official hospitality should be, and should be seen to be, on a modest scale, and not ostentatious, and it should not be such as to provoke adverse public comment. All PPS staff have a responsibility to be Ethical by complying with the NICS Code of Ethics, reporting acts of improper conduct and adopting the highest standards of impartiality, objectivity and propriety in everything they do.
3. DAO (06/12) (revised 28 July 2016) Departmental Delegations/Requirements for DoF approval also requires Departments to obtain Supply approval for all gifts in excess of £250 and the requirements of staff are also set out in Section 6.01 Standards of Conduct of the NICS HR Handbook and in DAO 10/06.
4. The following guidance is designed to protect both individual members of staff and the Department in general. External people acting on behalf of PPS (e.g. Non-Executive Board Members, employees on secondment to and from the PPS, consultants, contracted staff, etc.) must also adhere to the principles of this guidance and should be notified of this requirement before commencing work in the Department.

### Purpose

5. The purpose of this document is to:
  - Outline for all PPS staff, the guidelines and fundamental principles for the provision and acceptance of gifts, hospitality and rewards;
  - Provide advice on how hospitality either provided by or offered to PPS staff should be approved;
  - Provide advice on whether and how provision and acceptance of hospitality by PPS staff should be recorded; and
  - Outline roles and responsibilities for staff at all levels within PPS.
6. This guidance should also be seen as applying to gifts or hospitality offered to spouses, partners or other associates of an official if it could be perceived that the gift or hospitality is in fact for the benefit of the official.

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<sup>1</sup> The principles set out in this guidance also apply to the provision and acceptance of rewards.

7. The guidance does not seek to supply a prescriptive list of the gifts or hospitality that can be provided or accepted but rather seeks to provide the ethical framework for decision making in relation to the provision and acceptance.

## Fundamental Principles

8. The basic requirement, set out in Section 6.01 Standards of Conduct of the NICS HR Handbook, is that civil servants should conduct themselves with honesty and impartiality in the exercise of their duties. As a consequence, staff must not use public resources for personal benefit, or receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgement, integrity and impartiality.
9. As the expenditure of taxpayer's money on official hospitality is a sensitive matter which can lead to public criticism, care must be taken to avoid exposing the individual or the Department to allegations of extravagance or impropriety.
10. Any hospitality offered or received should further the Government or taxpayers' interest and involve no reasonable suspicion that personal judgement or integrity has been compromised. HMT's document on Regularity, Propriety and Value for Money suggests a test to apply if there is a question mark over whether a proposed course of action meets the requirements of propriety – ***“could this course of action be satisfactorily defended in public?”*** This is a useful test in both the acceptance and provision of gifts and hospitality.
11. In accepting offers of gifts or hospitality from a third party, the fundamental principle is that an officer should not do anything which might give rise to the impression that they have been influenced by a gift or consideration to show bias for or against any person or organisation while carrying out official duties.
12. For the provision of hospitality by PPS staff, it is acknowledged that in some instances cultivating and maintaining contacts with outside groups is essential, however, as with all public expenditure, provision of hospitality expenditure should be value for money and incurred in accordance with the principles of regularity and propriety. The ‘Seven Principles of Public Life’ (often referred to as the Nolan Principles), capture the key characteristics of propriety and they are included in **Annex 1**. Whilst it can be difficult not to offer hospitality as a gesture of reciprocity, this should not be the sole reason for justifying the expenditure. The provision of hospitality should generally be limited to a meal or light refreshments.
13. It is not practical to draw up a sliding scale for everything falling under the umbrella of provision of hospitality. Some events will justify a much greater outlay than others and judgements on the scale of provision should be based on common sense considerations

## Situations not Covered by Guidelines

14. It is recognised that there may be cases where, in the interest of the department, flexibility in interpretation of the strict rules may be necessary. In such instances, approval must be obtained in writing from an officer of **Grade 5** or above which clearly details:

- Why the request falls outside the boundaries of what is normally allowable;
- Why is it considered necessary to provide or receive such hospitality;
- How will it directly benefit the department; and
- The expected consequences of the request being refused.

## 2. ACCEPTANCE OF GIFTS AND HOSPITALITY OFFERED TO US

### Registers of Gifts and Hospitality Offered to Us

15. Each Division<sup>2</sup> will maintain a 'Register of Gifts and Hospitality Offered To Us' recording all gifts and hospitality offered to and accepted or rejected by PPS staff, their spouses, partners, etc. or those working on behalf of PPS. A sample template for the 'Register of Gifts and Hospitality Offered to Us' is included at **Annex 2**. The Registers will be subject to the following monitoring arrangements;

- Heads of Divisions will be responsible for monitoring the registers of their respective business areas on a quarterly basis;
- The Senior Assistant Director Resource and Change – will be responsible for monitoring the offer/receipt of gifts and hospitality by Senior Civil Service colleagues and Non-Executive Board Members within PPS on an annual basis;
- The Audit & Risk Committee will review the registers on an annual basis.

16. Each 'Register of Gifts and Hospitality' should record expensive gifts and/or hospitality that have been accepted or rejected. It is not necessary to include inexpensive gifts on the Register (such as calendars, pens, diaries).

17. It will be the responsibility of Heads of Divisions to ensure that all staff are made aware of this guidance and that registers are in place and properly maintained and updated. The registers are located under "Dpphqdata01\Libraries\gifts & hospitality registers" to facilitate ease of access and updating. A separate register will be held for each Division, for senior civil service and for Non-Executive Board members.

18. Each register will be open to periodic central inspection and may be included in Internal Audit inspections. The Head of Finance also has access to enable inspection and publication of the registers. In addition, the registers are subject

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<sup>2</sup> Division includes the following business areas: Belfast and Eastern region, Western and Southern region, High Court & International, Fraud & Departmental, Complex Casework, Serious Crime Unit, Corporate Services, Senior Civil Service and Non-Executive Board Members.

to Freedom of Information (FOI) queries. Each register will be published annually on the PPS website, and FOI requesters will be referred to the published information. All staff should bear this in mind when deciding on the acceptance of any gift or hospitality.

19. All relevant fields in the register should be completed ensuring that abbreviations are avoided. If hospitality has been accepted or declined an estimated cost should be included.

### **Approval levels and recording of offers/acceptance of hospitality**

20. A table at **Annex 3** provides details on the level of approval required for acceptance of gifts and hospitality offered to PPS staff. It also provides clear advice on the recording of such offers within the 'Register of Gifts and Hospitality Offered to SCS/Non SCS' and any other action which may be required in relation to the offer of gifts and hospitality.

21. In deciding whether hospitality can be accepted, you should bear in mind the following criteria:

- Will acceptance help further the Government or taxpayer's interest;
- Does acceptance place an obligation on you as the recipient;
- Hospitality that is frequent, lavish or prolonged should not be accepted;
- The hospitality should be unconnected with any decision affecting the organisation or individual offering it;
- Hospitality that is accepted should always be justifiable; and
- The benefits of acceptance should outweigh the risk of possible misrepresentation of the hospitality.

22. If gifts or hospitality are offered, the approval of the Head of Division / Senior Assistant Director – Head of Resources & Change should be sought, using the template provided at **Annex 4**. If the recipient has declined or intends to decline the offer of gifts or hospitality, they need only send details of the offer to their line manager for inclusion in the register.

23. Staff who fail to declare to the 'Register of Gifts and Hospitality Offered to Us' in accordance with the above principles should be aware they may be subject to disciplinary action

## **3. PROVISION OF GIFTS AND HOSPITALITY**

### **Justification of Hospitality**

24. The primary consideration for the justification for expenditure on gifts and hospitality to be provided by PPS is that the gift or hospitality should be in the direct interest of the department. The scale of the gift or hospitality provided should be proportionate to the needs of the occasion and the status and number of guests.

25. All requests to extend hospitality should be accompanied by supporting documentation to enable the authorising officer to make the decision on the provision of the hospitality proposed. This documentation should include:

- A written request for permission to extend hospitality and for the type and scale of hospitality proposed;
- A guest list, detailing employing organisations and, if not immediately apparent, reasons for invitation;
- Written approval for the type and scale and estimated cost of hospitality proposed and for the guest list;
- If appropriate, evidence of having followed Construction and Procurement Delivery (CPD) guidelines and of having sought the best deal.

### **Authorising Provision of Hospitality**

26. Authorisation procedures for payment of hospitality where the venue is outside government buildings and/or the refreshments are supplied by outside caterers are the same as those for all types of goods and services. In all cases authorising officers should ensure that the expenditure was properly incurred and that the hospitality extended falls within the terms approved.

27. When choosing venues for hospitality or meals to be provided, the most expensive hotels and restaurants should be avoided, unless there are compelling reasons such as the availability of particular facilities, when choosing venues. Where a meal is to be provided, a fixed price menu should normally be agreed in advance.

28. The table at **Annex 5** provides details of the types of event where hospitality is permissible, the level and scale of hospitality that may be provided in each circumstance and the level of authorisation required for expenditure on gifts and hospitality.

### **Classification and identification of hospitality Expenditure**

29. All expenditure on hospitality **must** be clearly identified as such and charged to the expense code for hospitality including events. It is not permissible to obscure the purpose of the expenditure on hospitality by subsuming such expenditure within other expense codes.

30. Copies of all documentation along with **Annex 7** "Approval Form for Provision of Gifts and Hospitality provided by us" should be forwarded to Finance team and be available for audit inspection.

## **4. ROLES AND RESPONSIBILITIES IN RELATION TO THE ACCEPTANCE AND/OR PROVISION OF GIFTS AND HOSPITALITY**

### *Employees*

31. Employees must not use public resources for personal benefit or receive benefits in kind from a third party which may be seen to compromise their judgement or integrity. Care should be taken to avoid actual, potential or perceived conflicts of interest when employing consultants and procuring goods and services.

### *Line Managers*

32. Line Managers should be satisfied that any expenditure on gifts and hospitality incurred is in the best interest of the organisation, provides value for money and complies with current policies and guidelines. Line Managers should ensure that all staff comply with guidance on both the acceptance and provision of gifts and hospitality.

### *Approving and Authorising Officers*

33. Approving officers are reminded of their responsibility for ensuring adherence to the guidelines. It is important that the Accounting Officer has a defence against charges that the level of gifts and hospitality accepted or provided is excessive or that the department's staff are being entertained at the taxpayer's expense. Where there is doubt about any particular event, Approving Officers should seek advice or err on the side of caution and reject the request.
34. Officers authorising payments are reminded of their responsibility to ensure that the gifts and hospitality extended be properly approved.

### *Head of Finance*

35. The Head of Finance has an advisory and oversight role on gifts and hospitality in the Department. Ensuring that guidelines are in place in respect of the provision of gifts or hospitality, and carrying out random checks to ensure it is adhered to. Ensuring that any possible conflicts of interest are identified and that appropriate action is taken to resolve them.

### *Audit and Risk Committee (ARC)*

36. The ARC will periodically review the Department's 'Register of Gifts and Hospitality Provided by PPS' and provide general advice on good practice.

### *Internal Audit*

37. Internal Audit has a role in the monitoring of compliance against policy and guidance. Additionally, Internal Audit is available to provide advice and guidance on matters relating to the acceptance or provision of gifts and hospitality.



### *Heads of Divisions*

38. Heads of Divisions have a responsibility to take decisions affecting the acceptance and provision of gifts and hospitality within their Divisions. In order to counter any possible accusation or suspicion or improper conduct by staff in the department, each Head of Division has a responsibility to ensure that a 'Register of Gifts and Hospitality Offered To Us' is maintained within their area of responsibility.

### *Director*

39. The Director, as Accounting Officer, has a leadership role as regards propriety, his actions and behaviour should set a high standard for the organisation. The essence of an Accounting Officer's role is a personal responsibility for the propriety and regularity of the public finances for which he is answerable; for the keeping of proper accounts; for prudent and economical administration; for the avoidance of waste and extravagance; and for the efficient and effective use of the available resources.

### **Queries**

40. Any queries on the content of this guidance should be directed to Finance, email [retainedfinancefunction@ppsni.gov.uk](mailto:retainedfinancefunction@ppsni.gov.uk).

## **ANNEX 1 – THE SEVEN PRINCIPLES OF PUBLIC LIFE**

Below is a section from the First Report of the Committee on Standards in Public Life. These “Seven Principles of Public Life” capture the key characteristics of propriety and is a reminder that issues of propriety and corporate governance are clearly linked.

**Selflessness** Holders of public office should take decisions solely in terms of 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 organisations 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 in relation to their public duties and 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.

## ANNEX 2 - REGISTER OF GIFTS AND HOSPITALITY OFFERED TO US

[illegible]

### ANNEX 3 – GUIDANCE FOR THE ACCEPTANCE OF GIFTS AND HOSPITALITY OFFERED TO US

Hospitality Offered	Appropriate to accept?	Prior Approval Required	Further Action Necessary
Modest conventional hospitality (e.g. tea/coffee and scones or working/sandwich lunch.	Yes	No	None
More formal lunch or dinner, by prior invitation	Yes subject to approval	For staff up to G6 prior approval required from Grade 5 line manager.  For SCS no prior approval required. If accepted/declines, record in 'Register' which is reviewed annually by Line Manager.	Record in 'Register of Gifts and Hospitality Offered to Us'.  A check should be made in advance to ensure that the Department will not be over-represented at the function concerned.
Hospitality offered to a team	Yes subject to approval	Prior approval required at Grade 5 level or above.	Record in 'Register of Gifts and Hospitality Offered to Us'.
Commemorative event or trade promotion organised by contractor, consultant or supplier with a meal.	Yes subject to approval	For staff up to G6 prior approval required from Grade 5 line manager.  For SCS no prior approval required. If accepted/declines, record in 'Register' which is reviewed annually by Line Manager.	Record in 'Register of Gifts and Hospitality Offered to Us'.
Annual dinner of Profession Institute or Association A) Where officer is a guest of the Institution or Association; and B) Where officer is the guest of a particular consultant, contractor or supplier.	Yes subject to approval	For staff up to G6 prior approval required from Grade 5 line manager.  For SCS no prior approval required. If accepted/declines, record in 'Register' which is reviewed annually by Line Manager.	Record in 'Register of Gifts and Hospitality Offered to Us'
Cultural or sporting events as a guest	No (However, isolated acceptance may be acceptable)	Not applicable (Prior approval would be required)	Should be refused or returned (In case of isolated acceptances details should be recorded).  Record in 'Register of Gifts and Hospitality Offered to Us'

<b>Hospitality Offered</b>	<b>Appropriate to accept?</b>	<b>Prior Approval Required</b>	<b>Further Action Necessary</b>
Overseas visits to inspect manufacturers products	Yes subject to approval	Prior approval required for all grades; approval to be obtained from Grade 3; approval will only be granted exceptionally.	Record in 'Register of Gifts and Hospitality Offered to Us'  If prior approval is given, travel and accommodation will be paid by the Dept. Acceptance of <u>modest</u> hospitality (e.g. working lunches permissible).
Occasional seasonal or modest gifts (e.g. company calendars, diaries, stress balls, inexpensive pens or stationery sets provided they bear Company names and/or logos. (Value should not exceed £10).	Yes	No	None
Expensive gifts (Value of more than £10, including gifts of lottery tickets, cash, gift vouchers or gift cheques).	No	Not Applicable	Should be refused or returned.  Record in 'Register of Gifts and Hospitality Offered to Us'
Trade of Discount cards, or Air Miles through which an individual officer might personally benefit from the purchase of goods or services at a reduced rate.	No	Not Applicable	Should be refused or returned.  Record in 'Register of Gifts and Hospitality Offered to Us'
Gifts of alcohol from any source, including a contractor, or where a contractor relationship is being contemplated.	No	Not Applicable	Should be refused or returned.  Record in 'Register of Gifts and Hospitality Offered to Us'

WHERE PRIOR APPROVAL IS REQUIRED, THE FORM AT ANNEX 4 SHOULD BE COMPLETED.

## **ANNEX 4 – APPROVAL FORM FOR ACCEPTANCE OF GIFTS AND HOSPITALITY OFFERED TO US**

(Part 1 to be completed by recipient – part 2 overleaf to be completed by approving officer)

<b>GIFT/HOSPITALITY FORM A1 (Part 1)</b> <b>DETAILS</b>	
Offered to:	
Name of ultimate recipient if not as above (i.e. if gift or hospitality passed on to someone else):	
Date of event or gift offered:	
Who made the offer:	
Description of offer:	
Why was the offer made:	
Estimated/actual value of offer:	
State whether offer was declined:	
Is there a current/potential contract with the donor? If yes provide details:	
Signature:	Signed:  Date:

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

**GIFT/HOSPITALITY FORM A1 (Part 2)****OUTCOME**

Decision:

(Approved/Not Approved)

Reasons why approval  
has/has not been granted:Is gift being returned? If so, a  
letter should be issued  
(template at Annex 5 to be  
used)Has the gift been used or  
disposed of? If so give details:Has the gift been donated to a  
nominated charity?Has the Gifts and Hospitality  
register been updated?Signature of Approving Officer  
(not below Grade 5):

Signed:

Date:

**NB: FORM NOT VALID UNLESS BOTH PARTS 1 AND 2 HAVE BEEN COMPLETED**

## ANNEX 5 – GUIDANCE FOR THE PROVISION OF GIFTS AND HOSPITALITY

Type of Event Requiring Hospitality	Circumstances where Hospitality may be provided at public expense	Description of Hospitality which may be Provided	Authorisation/Special Requirements
Meetings	Meetings (normally on PPS premises) expected to last more than one hour and extending over a break, where attendees from outside the Department are included.	Tea/Coffee/Biscuits/Scones	Invoice approved at Grade 7 or above. Prior approval not needed.
Working lunches	Meetings (normally on PPS premises) extending over the lunch break, where attendees from outside the Department are included. <i>(Approximately £4.25 per head)</i>	Sandwiches/Tea/Coffee	Prior approval at Grade 7 or above.
Training Courses / Workshops / Away Days / Seminars / Conferences	Residential  Non-residential  Residential/Non-Residential	Meals and light refreshments to be provided for delegates. Beverages (including alcohol) are permissible with evening meals to a third of the total cost of the meal.  Lunch may be provided where it facilitates the running of the course or where alternative provision is not available. Unless part of a fixed package, beverages (with the exception of tea/coffee) should not normally be provided with lunches.  Refreshments provided morning or afternoon should be limited to tea, coffee and biscuits or scones.	Written approval from Grade 7 or above.  Written approval from Grade 7 or above.  Written approval from Grade 7 or above.
Entertaining Guests (lunchtime)	Where it is necessary to entertain visitors at lunchtime.	Internal conference and dining facilities should be considered, particularly when numbers are relatively small. E.g. conference rooms or Boardrooms in Government buildings should be used if available, and consideration should be given to providing sandwiches or a snack meal from a Departmental canteen or local caterer.  Alcoholic beverages should not normally be provided with lunch.  Receipts to cover the expenditure must be obtained.	Prior approval required from Grade 5 or above.



Type of Event Requiring Hospitality	Circumstances where Hospitality may be provided at public expense	Description of Hospitality which may be Provided	Authorisation/Special Requirements
Entertaining Guests in the evening	<p>Where it is necessary to entertain visitors of the Department in the evening.</p> <p>Note: When considering the entertainment of visitors, regards should be given to keeping as low as possible the number of public sector visitors; and</p> <p>The Department should not normally bear the cost of hospitality for public sector visitors except where they form a minor and necessary part of the guest list.</p>	<p>The total cost per head including refreshments and any service charge or tip should not be excessive.</p> <p>Where the hospitality takes the form of an evening meal, the element for refreshments (including alcoholic and soft beverages) should not normally exceed a third of the total bill.</p> <p>If no service charge is included in the bill, a tip of 10% would be reasonable, but this should be contained within the maximum cost per head specified above.</p> <p>Receipts to cover the expenditure must be obtained.</p>	Prior approval required from Grade 5 or above.
Expenditure on Official Gifts	<p>Where appropriate to provide a corporate gift to an individual, or organization e.g. Visitors from a Foreign Government Organisation.</p> <p>Any gifts should involve modest expense and should not be regarded as part of the normal conduct of Departmental business.</p>	Gift should not usually exceed £250 (including VAT).	<p>Approval from Grade 5 or above.</p> <p>If any gift exceeds £250 (including VAT) a case should be made, with the approval of the Grade 5, to pursue clearance with DOF Supply through PPS Finance team.</p>

## ANNEX 6 – TEMPLATE FOR RETURN OF OFFER OF GIFT/HOSPITALITY

(The content of this template should be tailored to suit each circumstance)

Contact name Name of company Address of company	Name of Business Manager/Head of Division: Office Address
Date	
Dear	
<p>The Public Prosecution Service, as a publicly funded body, operates a Gift and Hospitality Policy to ensure high standards of propriety in the conduct of its business.</p> <p>On account of public confidence, perception is as important as reality and because of this I am obliged to return your offer of <u>INSERT: <i>Name of gift / hospitality.</i></u></p> <p>This is not in any way meant to offend or to imply that your [gift/hospitality] was offered in anything but the utmost good faith, but is designed to protect both individual members of staff and the Public Prosecution Service generally. I hope you will accept our response in that spirit and that we can look forward to continued effective working relationships.</p> <p>Yours .....</p>	

## ANNEX 7 – APPROVAL FORM FOR PROVISION OF GIFTS AND HOSPITALITY

PROVISION OF GIFT/HOSPITALITY FORM A2	
Region/Business Area:	
Type of hospitality (e.g. meeting, working lunch)	
Description of gift/hospitality:	
Why hospitality required:	
Supplier:	
Estimated/actual value of gift/hospitality provided:	
List of Attendees (all names and organisation names to be provided)	
Requester:	Name: Date:
Approver:	Name: Date:
Purchase Order Number	

