

Restricted Gifts and Hospitality Policy



1. Introduction

Gifts and hospitality can, when inappropriate for the business situation, constitute a bribe or conflict of interest. Care and due diligence should be exercised at all times when giving or receiving any form of gift or hospitality on behalf of Xact.

This Policy applies to all Xact Staff, those working on behalf of Xact and any other party (including individuals, partnerships and corporate bodies) associated with Xact. It also applies to their spouses, partners or other associates.

Staff should not receive or give benefits of any kind to a third party which might reasonably be seen to compromise Xact's brand, professional standards, personal judgement and integrity.

In exercising judgement as to whether to accept or give a gift or hospitality, the question should be asked as to what the public perception would be of the matter.

2. Definitions

PMG: Performance Management Group consisting of Directors and an Independent Governance Advisor

Staff: Employee, agency worker, contractor, sole trader e.g. manager, supervisor, administrator, tutor, assessor, mentor, internal quality assurer, end point assessor etc.

Stakeholders: Apprentice, apprentice employer, training provider, customer, supplier, those receiving our services, user and those with whom we associate

Working on behalf of Xact: Includes contractors, sub-contractors, consultants, business partners, recruitment agencies, suppliers and any other party (including individuals, partnerships and corporate bodies) associated with Xact.

Xact: Xact Consultancy & Training Limited and Xact Training Limited trading as Xact Assessment

3. Principles

The following general principles apply to gifts and hospitality:

- a) May neither be given nor received as a reward, inducement or encouragement for preferential treatment or inappropriate or dishonest conduct.
- b) Should not be actively sought or encouraged from any party, nor should the impression be given that the award of any business, custom, contract or similar will be in any way conditional on gifts or hospitality.
- c) Cash should be neither given nor received as a gift under any circumstances.
- d) Should be avoided between relevant parties when contracts are being tendered or awarded.

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- e) The value, whether given or received, should be proportionate to the matter to which they relate and should not be unusually high or generous when compared to usual practices in the industry or sector.
- f) Gifts which would be in breach of this Policy may be accepted if refusal would cause significant or cultural offence. Xact will donate any gifts accepted for such reasons to a charity of its choosing.
- g) A log will be maintained of unacceptable and acceptable gifts

4. Categories

- a) **Unacceptable:** Gifts or hospitality which may look to those outside Xact as if they have been offered to compromise personal judgement and integrity. These will generally be of high value. These must not be accepted or given, discussed with their line manager and recorded in the register.
- b) **Acceptable and recorded:** These will generally be lower value items e.g. a bottle of wine, bunch of flowers and gifts which if refusal would cause significant and/or cultural offence. Gifts and hospitality which falls in this category must be recorded in the register.
- c) **Acceptable:** Gifts which are low value such as marketing items such as pens, diaries etc. Hospitality in a reciprocal business environment such as payment for lunch or drink at a conference. These are acceptable and do not need to be recorded in the register

Note: If there is any concern or doubt from receiver or giver about which category gift or hospitality falls into, they must discuss the matter with their line manager¹ (employees) or contract manager¹ (contractors, agency workers or sole traders) and record matter in the register.

5. Receiving gifts

For gifts in category 4b) above which exceed a value of £40.00 one of the following options should be taken:

- a) share the gift with all staff, *or*
- b) raffle the gift for charity, *or*
- c) donate the gift to charity, *or*
- d) make a donation to charity and keep the gift

Note¹: Receiving gifts must be discussed with their line manager¹ (employees) or contract manager¹ (contractors, agency workers or sole traders).

Note²: If that person is implicated, they should report the matter to a Director

7. Accepting Hospitality

Hospitality offered should only be accepted where there is a direct link to working arrangements and a genuine business reason can be demonstrated, for example:

- a) attendance or speaking at a conference, which provides complimentary subsistence, travel and accommodation, *or*
- b) attending a free training course, *or*
- c) attending a drinks reception to network

It is recognised that, in the course of carrying out their duties, staff will need on occasion to ensure good relationships with existing and future stakeholders which may involve the receipt of modest working lunches and dinners. These are acceptable where there is a genuine business reason.

Hospitality invitations to events which are purely social events should be considered very carefully before accepting as it may be inappropriate with no genuine business reason. These invitations should be recorded in the register whether received or declined.

8. Gifts and Hospitality Register

A record must be made in the register as soon as possible after the offer or receipt of gifts or hospitality occurs. The register records the following gifts and hospitality matters:

- a) Unacceptable, 4a)
- b) Acceptable and recorded, 4b)
- c) Discussions with line manager (employees) or contract manager (contractors, agency workers or sole traders)

9. Anti-Bribery and Anti-Collusion

Please see Xact's Anti-Bribery and Anti-Collusion Policy for associated information.

10. Monitoring

The register Business Support Manager is responsible for the register which will be reviewed quarterly by the PMG.

11. Policy Breaches

Where a staff member, those working on behalf of Xact, business partner and any other party associated with Xact becomes aware of any activity which could breach this policy, it is their responsibility to report the matter.

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11.1 Staff members

Report any and all concerns to their line manager¹ (employees) or contract manager¹ (contractors, agency workers or sole traders).

Note¹: If that person is implicated, they should report the matter to a Director

11.2 Non-staff members

Report any and all concerns to their point of contact within Xact¹.

Note¹: If that person is implicated, they should report the matter to a Director

In addition, the following actions may occur when this policy is breached:

- a) Employees may incur disciplinary action which may include dismissal.
- b) Contractor, self-employed, agency worker, consultant, business partner and any other party associated with Xact may incur a breach of contract, severing of business relationship and a claim for damages.

12. Associated Policies

This policy is supported by the following policies:

- a) Conflict of Interest Policy
- b) Anti-Bribery and Anti-Collusion Policy
- c) Discipline Policy
- d) Contractor Review Policy