

## Gifts and Hospitality Policy for Staff

Owner	<i>Governance Team</i>
Author	<i>Governance Manager</i>
Reviewed by	<i>Head of Governance</i>
Approved by and date	<i>9 November 2020</i>
Effective from	<i>10 November 2020</i>
Review Date	<i>November 2022 (reviewed every 2 years)</i>

## 1. Policy Statement

### 1. Policy Statement

- 1.1. This policy applies to:
  - Staff Members – all GDC employees, including interims, secondees, temporary staff and those on fixed term contracts.
  - The Executive Management team (EMT) – The Chief Executive and Executive Directors. The EMT are considered to be part of the staff group, except when identified separately within the policy.
- 1.2. The policy is designed to provide guidance as to:
  - What is and is not acceptable in relation to the acceptance of gifts or hospitality.
  - How and when you should make a declaration in relation to gifts or hospitality.
  - How to raise a concern in relation to an offer of gifts or hospitality, and
  - How declared declarations of gifts and hospitality will be recorded, reviewed and monitored.
- 1.3. The purpose of the GDC's Gifts and Hospitality Policies is to encourage transparency, accountability and probity, in line with the principles of right-touch regulation. In requiring regular and considered declarations of any gifts or hospitality offered to or accepted by our staff, the GDC seeks to promote public confidence in the regulatory process. The UK Bribery Act 2010 sets out that organisations can be prosecuted if bribery is disguised through frequent or 'lavish' gift giving, so this policy is designed to make clear the expectations that the GDC has about how gifts and hospitality will be treated.
- 1.4. The GDC subscribes to the Nolan Committee's report on 'Standards in Public Life' ('the Nolan Principles') which sets out the seven principles of public life. These are set out at **Appendix 1**.
- 1.5. GDC staff must not accept gifts and hospitality or receive other benefits from anyone which might reasonably be seen to compromise their personal judgement or integrity.
- 1.6. It is recognised that GDC staff are expected to build and maintain effective networks with external stakeholders, to support the work of the organisation, and gain an understanding of views of those stakeholders about our key purpose of protecting the public and promoting public confidence in the profession. These networking opportunities may come with offers of hospitality which could, on occasion, further the key purposes of the organisation. This must be balanced against upholding high standards of propriety and guarding against the appearance of a real or perceived conflict of interest or the creation of an undue obligation.
- 1.7. For all public bodies, it is essential to maintain public trust and confidence in the organisation and individuals associated with it. Where a conflict of interest does arise, through the offer or acceptance of gifts or hospitality, the principles of transparency and integrity apply, and the GDC requires disclosure of such gifts or hospitality to allow the organisation to manage the conflict accordingly.
- 1.8. The policy aims to ensure that approach to gifts and hospitality are managed consistently to: protect the integrity of decision making in the organisation, limit the risk of successful challenge to GDC decisions and ensure that staff are able to act consistently with their responsibility to act in the public interest.
- 1.9. There are separate policies in place in the relation to gifts and hospitality offered to Council Members, Independent Governance Associates and the wider Associate group.

## 2. Definitions

- 2.1. A '**conflict of interest**' is defined by the International Standards for the Professional Practice of Internal Auditing as '*any relationship that is or appears to be not in the best interests of the organisation. A conflict of interest would prejudice an individual's ability to perform his or her duties and responsibilities objectively*'. A conflict of interest could relate to any professional, personal or business activity.
- 2.2. A '**gift**' is defined as any benefit, item or service that is given to a GDC staff member free or charge, or at less than its commercial price, by an external party.
- 2.3. '**Hospitality**' is defined as food, drink or other privileges provided by an external party to a GDC staff member. This may include simple meals or refreshments, offered as part of attendance at a meeting, reception or other event, or offers of free travel to attend such events.
- 2.4. A '**connected person**' is a person with whom you have a personal or business relationship which could be perceived as influencing your decision making for or on behalf of the organisation.

## 3. Principles

- 3.1. Making appropriate declarations, in relation to actual or potential conflicts of interest, is vital given the roles that GDC staff members, Council Members, Independent Governance Associates and the wider Associates group play in administering the GDC's statutory functions.
- 3.2. The table below illustrates the functions that are delivered by the organisation and the types of groups or individuals who deliver them. For each group, it is imperative that they adhere to the principles set out in their respective policies to ensure that the decisions they take or advise on are robust, transparent and accountable.

Function or role	Examples of Individuals or groups that fulfil this role
Strategic decision making for the organisation as a regulator	<ul style="list-style-type: none"><li>• Council Members</li><li>• Independent Governance Associates</li><li>• Chief Executive and EMT Members</li></ul>
Operational Management of the organisation	<ul style="list-style-type: none"><li>• Chief Executive and EMT Members</li><li>• Senior Leadership</li><li>• GDC Managers</li></ul>
Exercising a statutory discretion or taking statutory decisions for the organisation	<ul style="list-style-type: none"><li>• The Registrar (and his delegates)</li><li>• Fitness to Practise Panellists</li><li>• Case Examiners</li></ul>
Providing expert advice to the statutory decision makers for the organisation	<ul style="list-style-type: none"><li>• Education Associates</li><li>• Registration Assessment Panellists</li></ul>
Operational delivery of the GDC as a public sector regulator	<ul style="list-style-type: none"><li>• Staff</li><li>• Associates</li></ul>

- 3.3. The following principles apply when considering whether or not to accept a gift or hospitality:

- All offers of gifts or hospitality must be declared.
- This policy applies when an offer of gifts or hospitality is made as a result of the staff member's employment.
- Any gift of hospitality accepted by staff must be justifiable. This means that it is in the direct interest of furthering the key purposes of the organisation and it must be proportionate to that interest.
- The frequency and generosity of an offer of a gift of hospitality must be considered when assessing whether or not to accept it. Accepting hospitality frequently from the same individuals or organisations might give rise to the perception that the work of the organisation is being influenced by the objectives of the external party.
- Those who are involved or responsible for procurement or management of contracts must adhere to strict rules in relation to their dealings with external suppliers. GDC staff should not accept gifts or hospitality if this could, or could be seen to, influence those interactions. If you are unsure in relation to this issue, please seek guidance from the In-House Legal Advisory Service or the Procurement team in the first instance.
- When considering whether or not to accept an offer of gift or hospitality, consider also whether the acceptance would stand up to public scrutiny.
- Gifts or hospitality offered to those connected with GDC staff members, as a result of the staff member's employment with the organisation, should also be declared.

Responsibility for making the declaration of any offer of gift of hospitality lies with the GDC staff member. If you are in doubt as to whether or not to declare any offer or whether or not to accept it, please seek the guidance of your line manager in the first instance and, if you are still unsure, please contact a Senior People Partner for further advice. EMT Members should discuss the matter with the Executive Director, Legal and Governance or the Chief Executive (as appropriate).

#### 4. Specific Guidance on Gifts

- 4.1. All gifts must be declared, regardless of whether or not they are accepted or declined.
- 4.2. Any gift of an estimated value of £20 or over must be declared, declared and, if already received, returned.
- 4.3. Any gift of an estimated value of under £20 may be accepted, if appropriate in line with this policy, but must be declared.

*Examples of gifts under £20 which may be accepted:*

<b>Example Gifts</b>	<b>May be accepted?</b>
Merchandise freely available at a conference, seminar or training event.	✓
Low value office goods e.g. diaries/pens	✓
Chocolates/confectionery.	✓
Bottled waters/soft drinks.	✓

- 4.4. Certain categories of gifts must always be declined, regardless of their estimated value, and must also be declared.

*Examples of gifts which must be declined:*

<b>Example Gifts</b>	<b>May not be accepted</b>
Cash or cash equivalent, such as tickets, gift cards or tokens.	x
Alcohol or gifts which contain alcohol.	x
Gifts which a third party may reasonably perceive to be excessive or extravagant.	x
Where acceptance would break laws, regulations or GDC policies.	x
Discounts on private purchases from suppliers with whom they have official dealings.	x
Gifts when there is a pending or open procurement exercise.	x

- 4.5. Under no circumstances should gifts be solicited. If GDC staff members receive unsolicited gifts which ought to be returned under this policy but, because they have been sent anonymously cannot be, the staff member should proceed as follows:
- Declare the gift
  - Decline the gift
  - If the gift is estimated to be valued at less than £20 but contains alcohol, donate it to the Social Committee for a staff raffle. Please consult the People Services team if you need to obtain practical advice as to how to do this.
  - If the gift is estimated to be valued at more than £20, donate it to an appropriate charity. Please consult the People Services team if you need to obtain practical advice as to how to do this.

## **5. Hospitality**

- 5.1. Offers of hospitality can take many forms – lunches, post-conference buffets, invitations to stakeholder events, gala dinners and overnight accommodation.
- 5.2. All offers of hospitality must be declared, whether or not they are accepted or declined, and regardless of value.
- 5.3. Some forms of hospitality may be accepted by GDC staff, if appropriate, under this policy.

*Examples of hospitality which may be accepted:*

<b>Examples of hospitality</b>	<b>May be accepted?</b>
Food arising in the normal course of business, such as lunches provided at meetings or seminars organised by suppliers. This must be incidental to the legitimate business event and the best use of time.	✓
Tea/coffee/soft drinks during working meetings.	✓
Bottled waters/soft drinks.	✓

5.4. Certain types of hospitality must always be declined, regardless of their estimated value, and must also be declared.

*Examples of gifts which must be declined:*

Examples of hospitality	May not be accepted
Alcohol, during normal business hours, at meetings, seminars or training events.	x
Invitations from suppliers or potential suppliers to sporting, cultural or music events.	x
Invitations to events where alcohol is the central theme.	x
Where hospitality is lavish and/or extravagant or could be perceived to be so.	x
From organisations where there is a direct (or perceived) involvement or connections with a GDC related bid, tender, contract renewal, ongoing negotiation or decision.	x
Where a reasonable member of the public would consider the hospitality to not be reasonable, appropriate and/or proportionate	x
Where acceptance would break laws, regulations or GDC policies.	x

## 6. Declaring Gifts and Hospitality

- 6.1. All members of staff are expected to act and be seen to act impartially and objectively in carrying out business on behalf of the organisation. Staff are responsible for disclosing any offers of gifts and hospitality, as and when they arise, and annually.
- 6.2. All members of staff will be asked to update their declaration:
- a. When they are offered a gift or hospitality; and
  - b. Periodically.
    - For EMT members: They must update their declaration as soon as they are offered any gift or hospitality<sup>1</sup>, and at least every **three months**.
    - For the wider staff group: They must update their declaration as soon as they are offered any gift or hospitality<sup>2</sup>, and at least every **12 months**.
- 6.3. New employees will be sent a copy of this policy with their induction documentation.
- 6.4. The Governance team will send a quarterly reminder to EMT members. People Services will remind staff annually to make their declarations. This aligns with the process for Managing Interests for staff. Declarations will be retained internally by People Services for 10 years, in accordance with the GDC's retention policy.

---

<sup>1</sup> Within 10 working days

<sup>2</sup> Within 10 working days

## 7. How to Make a Declaration

- 7.1. If you are offered any gift or hospitality, you should:
- Review this policy to ascertain whether or not you should accept or decline it.
  - Seek guidance from your line manager and/or the Governance team if you are unsure. You will need pre-approval from your line manager if you want to accept any gift or hospitality.
  - Regardless of whether or not you intend to accept or decline the gift or hospitality, declare it online within 10 working days of the offer being made. You can do this via this link: [Declaration of Gift or Hospitality](#).
  - This form will ask you to provide the following information:
    - Your name.
    - Details of the gift or hospitality offered and if it was accepted or declined.
    - The known or estimated value of the gift or hospitality.
    - The date that you accepted or declined the offer.
    - Date of line manager approval if the gift or hospitality was accepted.
    - The person or organisation who gave the gift or provided the hospitality.
    - If the gift or hospitality was for an individual or a team.
  - Safely retain a copy of any message sent declining the gift or hospitality and any proof of postage for the return of the gift or hospitality. This information may be required for audit purposes.
- 7.2. For EMT members, this process can be followed by their Executive Assistants and should be undertaken quarterly.
- 7.3. Line managers should review any requests to accept gifts or hospitality in line with this policy and, if unsure as to whether to approve them, seek guidance from the Governance team.
- 7.4. For staff, if there is a dispute, following liaison with the People Services team, as to how an offer of a gift or hospitality should be managed, the matter should be referred to the Chief Executive, whose decision will be final. Similarly, for EMT, the decision of the Chief Executive will be final. For the Chief Executive, the decision of the Chair of Council will be final.

## 8. Monitoring of Conflicts of Interest

- 8.1. The People Services Team will record and maintain the declarations of gifts and hospitality received from colleagues. This will be via a central register.
- 8.2. Declarations by staff will be stored on the central register reported annually to the SLT Board, or by exception if required. Staff declarations will not be published on the GDC website. The Governance team will produce annual report of declarations made, with support and data provision by the People Services team.
- 8.3. When quarterly declarations are made by EMT Members, they will be logged on the central register by the Governance team. The Chief Executive will review the gifts or hospitality declared to ensure that they are being managed appropriately. The Chair of the Council will review the declarations made by the Chief Executive. These declarations

will be published on the GDC website. The results of this exercise will be reported to the Audit and Risk Committee annually, or by exception if required.

- 8.4. If declarations of gifts or hospitality present concerns for those reviewing the annual report, action will be taken in line with the GDC's disciplinary procedures. Non-compliance with this policy will also be dealt with under the GDC's disciplinary procedures.
- 8.5. The Governance team will maintain a record of all requests for advice and guidance on this policy to establish trends and to assist when this policy is due for review.

## **9. Audit**

- 9.1. The Gifts and Hospitality Register will be available to internal and external auditors for review, as part of their annual audit process.

## **10. Raising any Concerns**

- 10.1. If you have concerns that a colleague or GDC member may have breached this policy, you should discuss this concern with your line manager, a Senior People Partner or the Head of Governance. You can also refer to the Whistleblowing policy for further guidance in relation to raising concerns in this area.

## **11. Review**

- 11.1. This document will be reviewed every two years by the Governance team and any proposed amendments must be approved by the SLT Board.

## **12. Related Codes, Policies and Legislation**

- 12.1. Managing Interests Policy for Staff
- 12.2. Whistleblowing Policy for Staff
- 12.3. Anti-fraud, anti-bribery and anti-corruption policy for Staff.

## **13. Appendices**

- 13.1. Nolan Principles



## Appendix 1 – Nolan Principles

### 1. 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.

- Members of the public and members of the dental professions are entitled to expect that you make decisions based on your conscientious assessment of what is in the public interest, without regard to your own interests or those of other organisations or individuals you are connected to.
- Do not exploit your association with the GDC for your own gain or that of others, and avoid any situation in which you might – even accidentally – give the impression that you are in a position to trade influence or access.
- If you have any involvement with a dental business or organisation whose value, prospects or well-being might be affected by GDC decisions or policies, take responsibility for ensuring that your motivation and actions could not be challenged by managing interests openly.

### 2. 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.

- Do not accept payments, gifts, hospitality or favours where the nature of the person or organisation concerned, or the circumstances of the exchange, could give rise to a concern about your integrity.
- Do not put yourself – or allow others to put you – in a position in which your advancement or personal interests, or those of anyone close to you, could be seen as being linked to any decisions or actions you might take in the course of your GDC work.
- Assess your own behaviour by reference to the Nolan Principles and make sure that you are seen to be following them.

### 3. 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 interest.

- In all that you do on behalf of the Council, demonstrate the same high standards of professionalism and personal probity which the Council expects of registered dental professionals.
- Answer any questions asked of you about your interests truthfully and in a spirit of openness.
- If you are asked about an interest, or the way in which you have managed it, avoid taking a defensive or narrowly legalistic approach.

### 4. Objectivity

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

- When making recommendations and decisions, declare and manage any non- GDC interests which would conflict with the decisions in question.
- Consider available options on their merits. Do not allow yourself to confuse the interests of the dental profession, or any other particular sector of society, with the public interest.

- Take full account of all available evidence which is relevant to the decision you have to make in the course of your GDC work. Make sure that you can distinguish clearly between the weight which is properly given to such evidence, and any undue, inappropriate or undeclared influence.

## 5. 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.

- You have a responsibility to explain your actions when asked. Engage constructively and positively with appropriate opportunities to explain the ways in which you have managed your interests.

## 6. 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 it.

- Make a full and open declaration of interests when asked to do so. If in doubt about whether or not you need to declare an interest, err on the side of openness and let others make an assessment of relevance. Perceptions vary, and you may not be best placed to make an objective assessment in your own case.
- Complying with the formalities is important but, on its own, is not enough. Take active steps to assure yourself that those who need to know about your interests on any particular occasion are aware of the situation.
- Demonstrate that you are open not only to disclosing any interests you may have but also that you are open to discussing their significance. Reflect on any feedback and advice you receive and act on any learning points that emerge from your experience and the views of others.

## 7. Leadership

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

- Let your approach to managing your interests provide an example of good practice within the Council, enhancing the Council's standing as a model of good practice for the dental professionals we regulate.
- Provide leadership by ensuring that your actions match the words which we have agreed to live up to. Speak and act in ways which promote and encourage a culture of open discussion about issues concerning interests. Help promote a culture of accountability, in keeping with the spirit of this guidance.
- Support others with leadership roles within the Council, so that they are empowered and supported to fulfil their responsibilities on behalf of the whole organisation, in the public interest.