

COUNCIL

Gifts and Hospitality (G&H) Policy

Meeting Date: 19 October 2015

Status: For decision

Lead Responsibility:
Nicola Ebdon (Head of Governance)

Council Champions: Gareth Hadley
and Scott Mackie

Paper Author: Lisa Harmshaw
(Governance Manager)

Purpose

1. To enable Council to consider the recommendation of the Audit and Risk Committee (ARC) that the G&H policy (attached at annex one) be approved.

Recommendation

2. Council are asked to:
 - 2.1 **note** the outcome of the trial of the G&H policy (held between 1 December 2014 and 21 August 2015), the comments from the Senior Management Team (SMT) held on 21 September 2015, the comments from the ARC meeting held on 19 October 2015 and the changes made to the policy as a result;
 - 2.2 **approve** the G&H policy for publication and circulation to employees and members; and
 - 2.3 **delegate authority** to the Chief Executive and Registrar to determine its publication date.

Strategic Objective

3. Development of a G&H policy formed part of the Governance work programme in the 2014/15 Business Plan, specifically developing and embedding best practice governance policies and processes in line with good practice, our values and our legislative framework. This work programme supports our strategic objective for Organisational Change – building a sustainable and modern organisation. This area of work is led by Nicola Ebdon (Head of Governance). The Council Champions for governance issues are Gareth Hadley and Scott Mackie.
4. ARC's terms of reference (part 4 of the duties) require the Committee to *'review the adequacy of and changes to the gifts and hospitality policy ensuring it is effective and consistent with Council's view and provide assurance as to the appropriateness and robustness of the policy before recommending its approval by Council'*.

Risks

5. This work is identified in the Governance Risk Register (risk A1.07 - Members or employees do not comply with corporate governance policies or procedures (code of conduct, conflicts of interest, gifts, bribery etc.)). Having an effective and embedded policy in place will mitigate against this risk.
6. The lack of appropriate, proportionate and robust guidance in relation to G&H exposes the GOC to risk, particularly in relation to conflicts of interest (even if that conflict is only perceived) and reputation. We believe that we can effectively mitigate this risk by having a policy in place.
7. We recognise that there is further work to do which will also help to mitigate against the risks in this area, particularly in relation to the Code of Conduct and policies on conflicts of interest. This work will be undertaken later in 2015/16.

Background

8. In November 2014, Council agreed to a recommendation of the ARC that a new G&H policy (which also included rewards and prizes, political and charitable donations, sponsorship and speaking fees) be issued for trial. The trial ran from 1 December 2014 to 31 March 2015, covering the Christmas and Easter periods (which is the most likely time for receiving G&H). This was extended in March 2015, by the Chief Executive and Registrar, in order to:
 - 8.1 collect more data on which to decide on any changes to the policy;
 - 8.2 promote the policy to employees to ensure engagement; and
 - 8.3 enable SMT to have time to fully consider the results of the trial before presenting a final draft policy to ARC.
9. For the purposes of the trial, the policy only applied to employees and Council members. During the trial period, feedback on the policy was sought via Management Forum meetings and the IC-GOC bulletin sent out on a monthly basis. Employees and Council members were advised of the need to complete and return declaration forms to the Governance Team and obtain pre-approval where required.

Feedback: received during the trial

10. The following feedback was received as a result of the trial, which resulted in a number of changes being made to the policy, which has also helped to reduce its overall length by five pages:
 - 10.1 it was felt that the use of the word 'purdah'¹ could be offensive and this was changed to 'pre-decision'. Further action in relation to pre-decision can be found in paragraph 15 below;

¹ Another meaning for purdah is "*the practice among women in certain Muslim and Hindu societies of living in a separate room or behind a curtain, or of dressing in all-enveloping clothes, in order to stay out of the sight of men or strangers*" or "*a curtain used for screening off women*".

- 10.2 in response to an enquiry from an employee who received a prize after entering a competition at a conference - from a company which did not have any involvement with the GOC - the policy has been amended to make it clear that such prizes can be accepted and do not need to be declared;
- 10.3 there are now two coloured graphical representations for the rules regarding G&H within the policy to enable better understanding of what is required. In addition, two process flowcharts have been developed and are attached as annexes to the policy. It is the intention to use these graphical representations and flow charts as part of embedding the policy. Training will be provided once the policy has been approved;
- 10.4 the amounts currently allowed for hospitality (£15+VAT for lunch (alcohol not permitted), £25+VAT for dinner (alcohol not permitted) or over £140+VAT for accommodation) were highlighted as being too low, especially for London. Feedback was also received that we should not discriminate between mealtimes i.e. the amounts should be the same for lunch or dinner. These amounts are consistent with those in the current expenses policy. It is common practice that when accepting hospitality you do not accept beyond a limit which you would reciprocate. This was the principle agreed by SMT for the trial policy and SMT and ARC remain of the view that this is appropriate. The limits in the G&H policy cannot change without the expenses policy changing, so to make this link clear (and reduce the need to change both policies if the expenses policy changes) the specific amounts have been removed and a reference to the expenses policy included instead. Council should note that the Remuneration Committee (RemCo) is expected to review the expenses policy in December 2015. Hospitality provided by the GOC is monitored through expenses and authorised by the Director of Resources and remains outside of the remit of this policy. There is no intention to develop a separate policy regarding the giving of hospitality by the GOC at this time.

Feedback: as a result of the declarations received during the trial

11. Between 1 December 2014 and 21 August 2015 we received 20 declarations for gifts and hospitality.
12. With the exception of the Chair of Council, no declarations were received from any other Council members during the trial.
13. As a result of the declarations received, the policy has been amended as follows:
- 13.1 the declaration form has been revised to include all the necessary information required for the register;
- 13.2 the trial showed six instances of gifts received under £10 which were accepted and declared, which included pens, notepads and memory sticks. We have amended the policy so that such small gifts can be accepted and

- declared, as we consider it disproportionate to declare such 'trivial gifts' which would clearly not result in any undue influence or conflict. This does not include gifts containing alcohol, which can be accepted but must be surrendered and declared. We do, recognise the 'cumulative effect' that small gifts may have over a period of time. We therefore propose to address this via embedding/training once the policy has been approved by Council;
- 13.3 as the GOC will not pay for alcohol as part of hospitality nor under the expenses policy, we have ensured that the G&H policy is consistent with these rules and such gifts are now categorised separately stating that they may be accepted but must be surrendered and declared;
- 13.4 we have provided guidance on how we will value gifts (during the trial some employees took different approaches to valuing a gift which was around £10 that were not consistent and resulted in some being kept and others declared and surrendered) so that the Head of Governance will value gifts based on an internet shopping search, and any gift valued over £10 must be declared and surrendered; and
- 13.5 during the trial there was confusion as to whether gifts should be surrendered and what would then happen to them or if they were to be shared amongst employees. Some gifts were split – so as to share amongst employees any part which could be shared and surrender or keep the other parts. The policy now makes it clear that gifts cannot be split prior to surrendering them (i.e. splitting a hamper and keeping the items of a lower value and surrendering those of a higher value) and provides an opportunity for the recipient to keep the gift and donate the value to a GOC nominated charity. If they do not wish to keep the gift it will be raffled amongst employees and members. The trial showed five gifts which would be donated to charity under the revised policy. It is common practice in many organisations to operate a gifts policy in this way. We consider this a proportionate way of managing the receipt of such gifts. In order to operate the raffle it is recommended that all employees and members are given an opportunity once a year to purchase a raffle ticket for a nominal amount (say £2) – the proceeds of which are donated to the GOC nominated charity. Then if a gift is to be raffled a number can be selected from those who took part and the gift allocated in a timely manner throughout the year. This is important as some gifts have a use by date.

Feedback: from the Senior Management Team (SMT) meeting held on 21 September 2015

14. The SMT met on 21 September 2015 to consider the outcome of the trial and a revised version of the policy. The SMT have agreed to all of the changes made to the policy as stated in paragraphs 13.1-13.5 above. In addition, they also discussed and agreed the following:
- 14.1 once the final G&H policy has been approved by Council it will continue to apply to the partners, spouses and close family relatives of SMT and

Council members only due to the links with related party transactions.

There is no evidence to suggest it should be extended to all employees or the partners, spouses and close family relatives of non-Council members;

14.2 when a GOC employee leaves the organisation, SMT agreed that it would be a sensible step as part of leaving arrangements for a member of the Governance Team to check calendars for those employees at the level of 'Head of' and above only to check whether there are any outstanding declarations; and

14.3 from 2016, the Governance Team intends to include a section on G&H as part of the member annual declarations process to confirm that they have read and understood their responsibilities in relation to confidentiality, declaring interests, data protection and the code of conduct and to confirm that their declarations are up to date.

Purdah/Pre decision

15. The trial G&H policy included rules in relation to 'purdah' (now re-named pre-decision) which apply to procurement. As part of the G&H trial policy, these rules required consideration to be given to whether a pre-decision list² was required. There were no pre-decision lists created during the trial period. Our procurement procedures only record procurement of contracts over £50K on the procurement register. Following discussion by SMT it was highlighted that there were a few instances during the trial period where such lists should have been produced; however, these fell below the £50k threshold and were not centrally recorded. The contracts and procurement policy makes reference to these rules, but they are not contained within that policy. In order to embed the use of pre-decision lists as part of procurement exercises going forward the pre-decision rules have now been removed as an annex in the G&H policy and will be included in the contracts and procurement policy. The pre-decision rules have been significantly shortened. Council should note that a full review of the contracts and procurement policy is due to take place in early 2017.

Analysis

Feedback from the ARC meeting held on 19 October 2015

16. The ARC discussed the G&H policy at their meeting on 19 October 2015 and confirmed there was nothing which the ARC considered should be brought to Council's attention which might affect Council's ability to approve the policy. The ARC felt that the policy was thorough and well thought through. The ARC questioned a reference to tax implications of gifts which had been included in the cover paper - this has now been removed.

² those individuals or organisations who have an actual or perceived interest or can influence the outcome of a tender, negotiation or decision taken by the GOC is required.

Publishing data from the G&H register

17. In order to be transparent about the data we hold on G&H we plan to publish the register annually (at year end). The General Pharmaceutical Council (GPhC) publishes details of all G&H received by its named senior employees and Council members and the Professional Standards Authority (PSA) also publish details relating to declared hospitality. The SMT and ARC have agreed that SMT and Council members will be identified by name and all others will be identified only as 'member' or 'employee'. The register up to 31 March 2015 will be published following the November 2015 Council meeting and it is proposed that Council delegate authority to the Chief Executive and Registrar to determine its publication date.

Impacts

18. There are no implications in relation to this work on budget, reserves, budget, resources, equality and diversity and human rights. Current Governance Team resources will be utilised to communicate the policy and investigate any concerns raised (for members only).

Devolved Nations

19. There are no implications in relation to the devolved nations arising from the paper or its annex.

Communications

20. Once the final policy is agreed we will circulate it via email to all those it applies to, along with an explanatory email. The policy will also be published on the website along with the register up to 31 March 2015. The policy will be included as part of the induction of new employees and members and existing employees and members will be asked if they require further guidance or training when the policy is circulated.

Timeline for Future Work

21. The key to ensuring compliance of this policy is appropriately embedding it within the organisation. Once the final policy has been agreed the Governance Team will develop a training plan according to demand from employees and members, which could include attendance at small team meetings, a presentation at an all-staff meeting and attendance at Committee meetings.

Attachments

Annex one: G&H policy – post trial (for approval)

Gifts and Hospitality policy

(inc. rewards & prizes, political & charitable donations, sponsorship & speaking fees)

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Author:	Lisa Harmshaw
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1. Policy Statement

- 1.1 Gifts and hospitality can be an appropriate part of a working relationship but any acceptance must not improperly influence, or be seen to be improperly influence, any decisions or create a feeling of obligation.
- 1.2 This policy covers gifts (which includes gifts, rewards and prizes, donations and sponsorship and speaking fees) and hospitality.
- 1.3 This policy is consistent with our Values – responsible, forward thinking and principled

2. Purpose

- 2.1 The purpose of this policy is to provide guidance on:
 - 2.1.1 what is and is not acceptable in relation to gifts and hospitality;
 - 2.1.2 how and when you should make a declaration; and
 - 2.1.3 what you should do if you need to report a concern and how that concern will be investigated.

3. Scope

- 3.1 This policy applies to:
 - 3.1.1 employees (whether permanent or temporary);
 - 3.1.2 members³; and
 - 3.1.3 partners, spouses and close family relatives⁴ of all Council and Senior Management Team⁵ (SMT) members for the purposes of auditing related party transactions.
- 3.2 Compliance with this policy is mandatory. Non-compliance for employees may be considered to be gross misconduct (and could result in summary dismissal) as stated in paragraph 5.2 of the Conduct, Attendance and Performance policy. Non-compliance for members is a breach of the terms of appointment which could result in removal from office.
- 3.3 Responsibility lies with the employee or member to make such declarations in accordance with this policy. We encourage all employees and members to seek consent and further guidance if you are in any doubt about your responsibilities under this policy. This will enable us to establish precedents, it will protect individuals from concerns being raised and will ensure transparency. If you require further advice and guidance you should contact a member of the Governance Team – governance@optical.org

³ Members are individuals who work with the GOC who are neither employees nor contractors (as defined by their contract with us).

⁴ We define close family relatives as parents, siblings and adult children.

⁵ The Senior Management Team includes the Chief Executive and Registrar, the Director of Strategy, the Director of Resources and the Director of Fitness to Practise (FTP).

4. The Gifts and Hospitality Register

- 4.1 A register of all gifts, hospitality, donations, sponsorship and fees declared in accordance with this policy will be maintained for the purposes of internal auditing. The register will include the following details:
- 4.1.1 the gift, hospitality, award or prize or fee received;
 - 4.1.2 the known or estimated value;
 - 4.1.3 the date of acceptance or refusal;
 - 4.1.4 the person or organisation who gave the gift, provided the hospitality, made the charitable donation or paid the speaker fee;
 - 4.1.5 the name of the GOC employee or member in receipt; and
 - 4.1.6 the reason for acceptance or refusal.
- 4.2 The register will be considered by the Audit and Risk Committee (ARC) annually and then published on the GOC website.
- 4.3 The Governance Team will also maintain a record of all requests for advice and guidance on this policy, in order to establish trends and precedents and to assist when this policy is due for review. This record will be reviewed by the Audit and Risk Committee (ARC) annually.

5. Review of this policy

- 5.1 The Governance Team will be responsible for reviewing this policy every three years, taking into account new or changes to legislation and regulations as well as best practice before presenting it for consideration by the Audit and Risk Committee (ARC).

6. Gifts

- 6.1 A 'gift' is an item given without the expectation of payment or reciprocity.
- 6.2 The table on the next page explains what is and is not acceptable when being offered a gift and what action you need to take. It is not intended to cover every eventuality and employees and members are encouraged to seek further advice and guidance from the Governance Team where necessary – governance@optical.org
- 6.3 If you need to make a declaration, please complete the form at Annex A: [Declaration form for gifts, hospitality and fees](#) within seven working days of receipt and return it to the Governance Team.
- 6.4 In cases where gifts need to be surrendered but where the recipient wishes to keep it, the Head of Governance, will determine the monetary value of the gift and provide an opportunity for the employee or member to either donate the value of the gift to a GOC nominated charity and keep the gift or choose for it to be raffled amongst employees and members. Any donations collected from gifts or proceeds from a raffle will be recorded on the gifts and hospitality register.


I have been offered / received a gift! What do I do now?

It is rarely appropriate to accept gifts. Before accepting or declining consider whether:

- the business relationship will be altered (or could be perceived to be altered);
- there is an expectation that the gift will influence (or be perceived to influence) a decision or the speed at which a decision is made;
- the gift could give rise to a conflict (or perceived conflict of interest);
- a fellow regulator, stakeholder or the press would consider the gift to be reasonable, appropriate and/or proportionate; and
- it would be more than the GOC would offer in similar circumstances.


Never acceptable. Decline and declare.

Cash or cash equivalent (such as tickets, gift cards or tokens).


 Acceptance would break laws, regulations or GOC policies.

It is lavish, extravagant or could be perceived to be so.


Cannot accept. Decline and declare.

 From organisations or individuals (stakeholder, supplier or contractor) where there is a direct (or perceived) involvement or connection (inc. via intermediaries) with a GOC-related bid, tender, contract renewal, ongoing negotiation or decision.

Accept. Surrender and declare.

 Gifts of £10+ from an organisation / individual (stakeholder, supplier or contractor) where there is an established relationship and that relationship is not subject to a GOC-related bid, tender, contract renewal, ongoing negotiation or decision.

Merchandise which is not freely available to all at a conference, seminar or training event.

 Alcohol or gifts which contain alcohol.

Accept & keep. No need to declare.


Gifts of less than £10 from an organisation / individual (stakeholder, supplier or contractor) where there is an established relationship and that relationship is not subject to a GOC-related bid, tender, contract renewal, ongoing negotiation or decision.


Merchandise which is freely available to all at a conference, seminar or training event.


A gift which is wholly unrelated to your status as a GOC employee or member.


Using personal discounts and loyalty schemes.


Exchanging bonus points for gifts which result from using loyalty schemes for GOC business.

 Please check with the Governance Team if you are unsure whether acceptance might breach any laws, regulations or GOC policies.

 Please check with the Director of Resources if you are unsure whether an organisation or individual is subject to a GOC-related bid, tender, contract renewal, ongoing negotiation or decision.

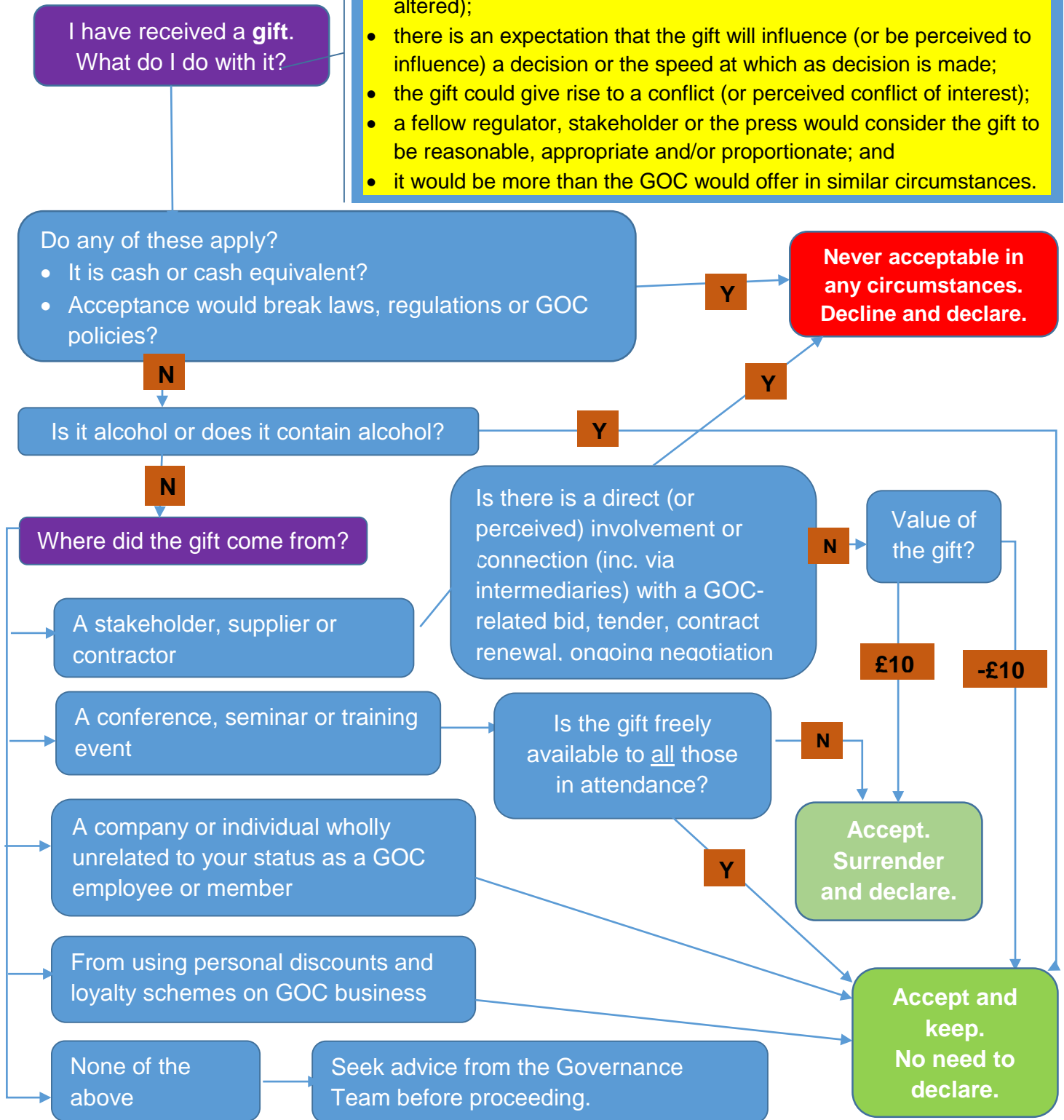
 If it would not be possible to return a gift without causing embarrassment or offence, surrender it immediately to the Governance Team who will discuss with the relevant SMT member or Chair how to resolve the situation.

 Unless you are absolutely certain the gift is worth £10 or less, you must contact the Governance Team who are responsible for determining the value based on an internet search.

 Gifts must not be split i.e. separating into individual gifts and keeping those of a lower value and surrendering those of a higher value. If you wish to keep your gift please talk to the Governance Team when you make your declaration.

It is rarely appropriate to accept gifts. Before accepting or declining consider whether:

- the business relationship will be altered (or could be perceived to be altered);
- there is an expectation that the gift will influence (or be perceived to influence) a decision or the speed at which a decision is made;
- the gift could give rise to a conflict (or perceived conflict of interest);
- a fellow regulator, stakeholder or the press would consider the gift to be reasonable, appropriate and/or proportionate; and
- it would be more than the GOC would offer in similar circumstances.



• If you require guidance, ask a member of the Governance Team.
 • Not sure of the value of your gift? Ask the Governance team for advice.
 • You should make your declaration within seven working days of receipt of the gift.
 • Use the declaration form (Annex A) at the back of the Gifts and Hospitality Policy.

7. Hospitality

- 7.1 Hospitality can be in many forms – meeting refreshments, lunches, post-conferences buffets, invitations to stakeholder events, gala dinners and overnight accommodation.
- 7.2 It is important that employees and members are, and are seen to be, independent and not influenced by the acceptance of hospitality.
- 7.3 The guidance on the next page explains what to do if you are offered hospitality. It is not intended to cover every eventuality and employees and members are encouraged to seek further advice and guidance from the Governance Team where necessary – governance@optical.org
- 7.4 If you need to make a declaration, please complete the form at Annex A: [Declaration form for gifts, hospitality and fees](#) within seven working days of being invited and return it to the Governance Team.
- 7.5 The proposal to offer hospitality at the GOC's expense is set out in the GOC Expenses Policy. Further advice and guidance on this policy can be sought from the Director of Resources.

I have been offered **hospitality!** What do I do now?

When considering whether to accept or decline, consideration should be given to:

- the perceived value and not just the actual cost;
- the frequency of the hospitality – repeated or overly frequent invitations should be avoided;
- the context – are you being invited or offered as a representative of the GOC or as an individual;
- the nature of the relationship between the GOC and the provider host. For example, where there is an established relationship or where a future relationship could be established i.e. suppliers and contractors, hospitality should be avoided unless it is clear that there is no creation or obligation or perceived obligation. Hospitality from stakeholders which relates to information gathering and the sharing of good practice is acceptable;
- where the hospitality might be intended to deliberately influence you or the GOC;
- whether a fellow regulator, stakeholder or the press would consider the hospitality to be reasonable, appropriate and/or proportionate; and
- whether it would be more than the GOC would offer in similar circumstances.

Never acceptable. Decline and declare.

Invitations central to a cultural, music or sporting event.

Where alcohol is the central theme.

Acceptance would break laws, regulations or GOC policies.


Where hospitality is lavish and/or extravagant or could be perceived to be so.


Cannot accept. Decline and declare.

From organisations or individuals (stakeholder, supplier or contractor) where there is a direct (or perceived) involvement or connection (inc. via intermediaries) with a GOC-related bid, tender, contract renewal, ongoing negotiation or decision.

Where there is an established relationship, where a future relationship could be established and where there could be a creation of obligation (or perceived obligation)

Acceptable. Pre-authorise and declare.

 Hospitality above the limits set out in the GOC expenses policy such as meetings with stakeholders, suppliers and contractors for the purposes of conducting business, information / intelligence gathering, consultations and sharing good practice.

 Hospitality above the limits set out in the GOC expenses policy such as seminars and training events (free or paid for by the GOC) where you can claim CPD or other professional endorsement.

Acceptable. No need to declare.

Hospitality within the limits set out in the GOC expenses policy such as meetings with stakeholders, suppliers and contractors for the purposes of conducting business, information / intelligence gathering, consultations and sharing good practice.

Hospitality within the limits set out in the GOC expenses policy such as seminars and training events (free or paid for by the GOC) where you can claim CPD or other professional endorsement.

Hospitality provided as part of a conference (free or paid for by the GOC) where you are attending as an official representative of the GOC.

Hospitality at formal social functions where invitations have been issued to all employees and/or members.

Hospitality wholly unrelated to your status as a GOC employee or member.

 1

Pre-authorisation is obtained as follows:

- Directors and Chair of Council = Chief Executive and Registrar
- Employees below SMT = your Director
- Chief Executive and Registrar = Chair of Council
- Members = your Chair

 2

Where an individual is attending more than one event which needs to be pre-authorised and declared during any 30 day period, it will be acceptable to complete one declaration form together with a separate list of all events attended.

When considering whether to accept or decline, consideration should be given to:

- the perceived value and not just the actual cost;
- the frequency of the hospitality – repeated or overly frequent invitations should be avoided;
- the context – are you being invited or offered as a representative of the GOC or as an individual;
- the nature of the relationship between the GOC and the provider host. For example, where there is an established relationship or where a future relationship could be established i.e. suppliers and contractors, hospitality should be avoided unless it is clear that there is no creation or obligation or perceived obligation. Hospitality from stakeholders which relates to information gathering and the sharing of good practice is acceptable;
- where the hospitality might be intended to deliberately influence you or the GOC;
- whether a fellow regulator, stakeholder or the press would consider the hospitality to be reasonable, appropriate and/or proportionate; and
- whether it would be more than the GOC would offer in similar circumstances.

I have been offered **hospitality**. What do I do now?

Do any of these apply?

- It is an invitation central to a cultural, music or sporting event;
- Is it an invitation to an event where alcohol is the central theme;
- Would acceptance break laws, regulations or GOC policies; or
- It is lavish, extravagant or could be perceived to be so.

Y

Never acceptable in any circumstances. Decline and declare.

N

Is there:

- a direct (or perceived) involvement or connection (inc. via intermediaries) with a GOC-related bid, tender, contract renewal, ongoing negotiation or decision; or
- an established relationship or where a future relationship could be established and where there could be a creation of obligation (or perceived obligation)?

Y

Cannot accept. Decline and declare.

N

Is the hospitality:

part of a meeting with stakeholders, suppliers and contractors for the purposes of conducting business, information/intelligence gathering, consultations and sharing good practice?

provided at seminars and training events (free or paid for by the GOC) where you can claim CPD or other professional endorsement?

provided as part of a conference (free or paid for by the GOC) where you are attending as an official representative of the GOC?

provided as part of a formal social function where invitations have been issued to all employees and/or members?

provided by a company or individual wholly unrelated to your status as a GOC employee or member?

None of the above.

Above limits of GOC expenses policy

Value?

Within limits of GOC expenses policy

Acceptable. No need to declare.

Seek advice from the Governance Team before proceeding.

Further Guidance? Do you need to make a declaration?

- Pre-authorization is obtained as follows: Directors and Chair of Council = Chief Executive & Registrar; Employees below SMT = your Director; Chief Executive & Registrar = Chair of Council; Members = your Chair
- Where an individual is attending more than one events which needs to be pre-authorized and declared during any 30 day period, it will be acceptable to complete one declaration form together with a separate list of all events attended.
- If you require guidance, ask a member of the Governance Team
- You should make your declaration within seven working days of being invited to the event using the declaration form (Annex A) at the back of the Gifts and Hospitality Policy.

8. External awards and prizes

- 8.1 There may be occasions where a member or employee might receive an offer of an award or prize from an outside organisation in connection with their official duties with the GOC such as a recognition of long service or an MBE. Such awards or prizes can be retained and do not need to be declared if it is of a token nature i.e. not lavish or extravagant, offered in recognition of personal achievement and there is no risk that it could be perceived as either a gift or an inducement.
- 8.2 Employees and members may enter competitions offered by individuals or organisations which have direct involvement with the GOC. Such prizes must not be retained by individuals and be surrendered to the Head of Governance, who will determine the monetary value of the prize and provide an opportunity for the employee or member to either donate the value of the gift to a GOC nominated charity and keep the gift or choose for it to be raffled amongst employees and members. Any donations collected from prizes or proceeds from a raffle will be recorded on the gifts and hospitality register.
- 8.3 Members and employees may also enter competitions offered by individuals or organisations which have no direct involvement with the GOC, even if the employee or member is at an event to represent the GOC. Prizes can be retained by individuals and do not need to be declared.

9. Political donations

- 9.1 The GOC as an organisation will not donate funds from income or reserves to political parties. If you are asked to make a donation to a political party on behalf of the GOC, please refer to the request to your relevant Director or Chair.

10. Charitable donations and sponsorship

- 10.1 A charitable donation might be a cash contribution or it could be the giving of 'in kind' support such as the supply of kit or employee volunteering.
- 10.2 Employees and members must not offer or make a charitable donation using GOC resources or engage in sponsorship discussions which could lead to GOC resources being used to pay for sponsorship. Such decisions can only be made by the Director of Resources, in conjunction with the Chief Executive and Registrar and Chair of Council if it is considered in the best interests of the GOC.
- 10.3 As the GOC is a charity it is possible that we may receive charitable donations from individuals or organisations to help us further our charitable aims. If you receive a charitable donation for this purpose you must contact the Director of Resources immediately who will make a decision, in conjunction with the Chief Executive and Registrar, as to whether it can be accepted and how it will be used.

11. Speaker fees

- 11.1 Employees and members may be asked to speak at conferences or other events on subjects which relate directly to the GOC remit, for example attending university 'fresher' events to meet with students regarding their registration, explaining changes at seminars regarding continuing education and training (CET) and speeches at national or internal conferences. Sometimes the host may wish to pay a 'fee' for this service.
- 11.2 Any fees for speaking engagements on behalf of the GOC are acceptable but must not be retained by the individual. In order to be transparent any such fees must be pre-authorised and declared using the form Annex A and returned to the Governance Team within seven working days. Such declarations will be included on the register. Connected food, accommodation and/or travel is also acceptable and should be declared at the same time as seeking authorisation for the fee.
- 11.3 Authorisation for employees below SMT should be gained from your relevant Director. Authorisation for Directors and the Chair of Council should be gained from the Chief Executive and Registrar. Authorisation for the Chief Executive and Registrar should be gained from the Chair of Council. Authorisation for members should be gained from the Chair of Council/ Committee as relevant. You should also inform the Communications Team.

12. Reporting your concerns

- 12.1 If you suspect that a member or employee has breached this policy **you should** report your concerns as follows, if your concern relates to:
- 12.1.1 an employee: report to the Director of Resources.
 - 12.1.2 a Director: report to the Chief Executive and Registrar;
 - 12.1.3 a member: report to the Senior Council Member; and
 - 12.1.4 the Chief Executive and Registrar or the Senior Council Member: report to the Chair of Council.
- 12.2 It would be helpful if you could provide as much detail as possible i.e. which area of the policy your concern relates to, any relevant details such as dates, times, places, names of those involved etc.
- 12.3 All allegations made under this policy will be reported to the Audit and Risk Committee, irrelevant of whether they are founded or not. The identity of the person who raised the concern will be kept confidential.

13. Investigation

- 13.1 All allegations of non-compliance with this policy will be investigated as follows:
- 13.1.1 employees - by the Director of Resources (unless the concern is reported to the Chief Executive and Registrar – see paragraph 12.1.4 above) as outlined in the GOC Conduct, Attendance and Performance policy; or

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13.1.2 members - by the Governance Team on behalf of the Senior Council member or Chair of Council using the process set out in Annex B: Investigation process (for members only). The Governance Team will collate evidence to enable the Senior Council Member or Chair of Council to make an informed decision

13.2 If the allegations are sufficiently serious we may inform the relevant authorities (for example, the police) before we initiate our own investigation.

14. What to do if you have further concerns following an investigation?

14.1 If you are unhappy with the outcome of the initial investigation you can raise your concerns directly with the Chief Executive and Registrar or use the Whistleblowing policy. The Whistleblowing policy also gives details of how you can make a 'wider disclosure' to external agencies.

Annex A: Declaration form for gifts, hospitality and fees

This form should be used if you need to make a declaration as required under this Policy.

GIFTS, HOSPITALITY & FEE DECLARATION			
To:	The Governance Team General Optical Council, 10 Old Bailey, London, EC4M 7NG		
From:	Name (please print)		
	Job Title / Position:		
	Department/Committee:		
I wish to declare the following which I understand will be held on the Register of Gifts and Hospitality, reported to the Audit and Risk Committee and published on the GOC website:			
This declaration applies to:			
Gift (refused / returned)	<input type="checkbox"/>	Hospitality (accepted & pre- authorised)	<input type="checkbox"/>
Gift/prize (accepted and surrendered)	<input type="checkbox"/>	Hospitality (refused)	<input type="checkbox"/>
Gift (accepted to avoid offence & surrendered)	<input type="checkbox"/>	Speaker fee (member & pre- authorised)	<input type="checkbox"/>
Hospitality (accepted)	<input type="checkbox"/>	Speaker fee (employee & pre- authorised)	<input type="checkbox"/>
Pre-authorisation for hospitality and/or speaking fees:			
Authorised by (print name)	Signed	Date	
Date Gift/Hospitality/Fee received/declined:/...../.....			
Gift/Hospitality/Fee received/declined from:			
Description of Gift/Hospitality/Fee received/declined:			
Value (please specify whether the value is known or estimated): £.....			
(Gifts/Prizes only) Retention decision: value donated to charity			
Name of charity Value			
.....			
Signed:		Date:	

For Governance Team use only

Form received by:

Date form received:

Date added to the Register:

Annex B: Investigation process (for members only)

This process will only be used for allegations made about members. Allegations of non-compliance with this policy about employees will be managed under the Conduct, Assessment and Performance policy.

In following this process, we will:

- in the first instance seek to clarify the situation with the person(s) who the allegation(s) has been made against;
- carry out an investigation (as per the process set out below) with the support of the Audit and Risk Committee and/or internal auditors if necessary;
- gather evidence, take statements and produce a report which details any weaknesses in internal controls which contributed to the non-compliance with this policy and where necessary make recommendations for remedial action;
- listen to all allegations raised and treat every allegation seriously and confidentially;
- (unless inappropriate to do so), notify the Chief Executive and Registrar and Chair of Council of all allegations and keep them apprised of the progress of any investigation;
- report the outcome of any investigation and remedial action required to the Audit and Risk Committee;
- not ridicule, victimise or discriminate against those who raise a legitimate allegation, irrelevant of whether it proves to be founded or not;
- take action against those who deliberately make a false allegation or make an allegation for malicious purposes; and
- notify the person who initially raised the allegation of the outcome of the investigation and any remedial action to be taken.

This process is a guide. Depending on the severity and nature of the allegation made, the timetable and steps to be covered may need to be condensed.

Timeline	Task	Responsibility
Day 1	Raise concern with: <ul style="list-style-type: none"> • Senior Council Member – regarding members; or • Chair of Council – regarding the Chief Executive and Registrar or the Senior Council Member Provide as much evidence as possible to support the allegations.	Person raising the concern Person raising the concern
Day 1/2	Instruct the Governance Team on what investigation needs to take place in order for them to reach an informed decision.	Senior Council Member or Chair
Day 2	Acknowledge the allegation and request any further evidence to be submitted for consideration within three working days.	Governance Team
Days 3-5	Provide the Senior Council Member or Chair with any additional evidence provided in order to assess the	Governance Team

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Timeline	Task	Responsibility
	allegation raised.	
Days 5-10	<p>Assess whether the allegation is justified and decide whether to initiate a full investigation.</p> <p>Advise the member and the person raising the allegation of the outcome of the decision.</p>	Senior Council Member or Chair
Days 10-15	<p>Full Investigation. Gather evidence, take statements and undertake interviews.</p> <p>Audit and Risk committee and internal auditors to be involved, if necessary.</p>	Governance Team
Days 15-20	Produce a report on the investigation findings, details on weaknesses in internal controls and recommendations for remedial action.	Governance Team
Day 20-25	<p>Review the outcome of the investigation and agree action to be taken.</p> <p>If the allegation is about a Council or Committee member, the relevant Chair should be informed.</p> <p>Advise the member and the person raising the concern of the outcome of the investigation and agreed action.</p> <p>Take agreed action.</p>	Senior Council Member or Chair
Next meeting	Report to the Audit and Risk committee.	Head of Governance