

# Gifts and hospitality policy

**GPHC0039 Version 1.2**

This policy provides guidance on what to do if you are offered gifts and/or hospitality in connection with GPHC activities.





# Contents

1. Introduction .....	4
2. Purpose.....	4
3. Scope .....	4
4. Guiding principles .....	5
5. Guidance on gifts and hospitality .....	5
6. Declaring and recording gifts and hospitality.....	6
7. Supporting documents .....	7

## 1. Introduction

- 1.1 Integrity is a principle of public life and, as a regulator and public body, impartiality and independence are vital to our effectiveness and the public interest. We must be objective in our decision-making, and personal interests should never influence our decisions at work.
- 1.2 We recognise that the identification and management of potential or actual conflicts of interest (which includes gifts and hospitality) is an essential component of good governance. All of us must ensure that we are able to recognise any potential conflict of interests we have and that they do not affect, or appear to affect, any of our decisions.
- 1.3 In line with our '*Values, conduct and behaviours for Council members, associates and partners*' policy, these groups are required to disclose any commitment or activity which may be perceived as a potential conflict of interest in respect of the role they undertake with the GPhC, and to comply with all applicable GPhC standards and policies, including those relating to gifts and hospitality.
- 1.4 Similarly, our '*Code of Conduct*' for GPhC staff specifies that certain gifts may be accepted provided this is compliant with the principles of the GPhC's formal arrangements as set out in our anti-bribery policy, declarations of interest policy, and this gifts and hospitality policy.

## 2. Purpose

- 2.1 As a regulator and public body, we must observe high standards of ethical behaviour. We recognise that it is important to build and maintain effective networks to support our work. This can occasionally give rise to offers of gifts and/or hospitality.
- 2.2 This policy provides guidance on what to do if you are offered gifts and/or hospitality in connection with GPhC activities.
- 2.3 It also helps to protect the integrity of our Council members, staff and our organisation, and sets out guidance that must be followed to ensure that the acceptance of gifts or hospitality does not have an adverse effect on our work or on public confidence in the GPhC.

## 3. Scope

- 3.1 This policy applies to Council members and staff. There are some additional requirements for senior staff (Directors) outlined below.
- 3.2 As well as Council members, there are a number of non-employee groups who help the GPhC to fulfil its regulatory functions. We use the broad terms 'associate' and 'partner' to describe these groups. Associates and partners fill a variety of roles, providing a wide range of knowledge and skills to support the GPhC's work.
- 3.3 Council members and associates and partners are required to observe the same code of conduct and standards of behaviour, although not all provisions may be equally relevant to all groups. **Associates and partners are covered by a separate, but similar, conflicts of interest policy.** This is because associates may also need to comply with legislative and other requirements relevant to their specific functions. For example, there are specific legislative provisions relating to conflicts of interest for statutory committee members in the General Pharmaceutical Council (Statutory Committees and their Advisers Rules) Order of Council 2010.

- 3.4 If you are not sure whether this policy applies to you, please contact the Executive Office and Governance Team for information and advice. You should always err on the side of caution and declare any interests if you are unsure of their relevance.

## **4. Guiding principles**

- 4.1 When identifying, managing and recording conflicts of interest (including gifts and hospitality), you should be guided by the following principles:
- Always act with honesty and integrity
  - Be open about the relationships and personal interests that could influence, or be seen to influence your independent judgement
  - Make full, accurate and timely declarations (declarations of interest should be made on appointment, as and when they arise throughout the year, as well as during the bi-annual attestation process for Council members and senior staff)
  - Always alert the relevant person to any actual or potential conflict of interests and agree with them how this should be managed
  - Notify the relevant person immediately if your circumstances change, in case this gives rise to conflict of interests
  - Do not seek to make a profit or benefit for yourself or others by making personal use of information acquired during your duties
  - Ensure you do not leave yourself open to improper influence or the perception of improper influence through the acceptance of gifts and hospitality, or otherwise
  - Read, understand and comply with this policy and ask questions if you need clarification or advice
  - Speak up if you have concerns, including about any breach, or potential breach of this policy

## **5. Guidance on gifts and hospitality**

- 5.1 Gifts and hospitality can be an appropriate part of professional, working relationships. However, Council members and staff must not accept any gifts or hospitality that might influence or compromise (or be seen to influence or compromise) their independence, impartiality or personal judgement, or that of the GPhC.
- 5.2 This includes anything that could place these groups under an obligation to outside individuals or organisations that might influence their performance of official duties or, just as importantly, that might give rise to a perception that they might be so influenced.
- 5.3 There will often be an element of judgement in coming to a decision. When following this policy, common sense needs to apply about whether gifts or hospitality should be accepted. If acceptance of gifts and hospitality were challenged, it would be necessary to show that acceptance was lawful, appropriate and consistent with our rules and that personal judgement or integrity had not been compromised.

- 5.4 For example, you should never accept any gift and/or hospitality from any person or organisation against which you know we are engaged in or considering formal regulatory action, or from any person or organisation with which you know we are considering entering into a contract.
- 5.5 Declining gifts and hospitality can sometimes seem discourteous; however, this may be necessary to uphold high standards of propriety and guard against any concern about a perceived or actual conflict of interest, or creation of an undue obligation.
- 5.6 If in doubt, you should err on the side of caution and do not accept the gift and/or hospitality.
- 5.7 If you are aware of such an offer in advance (this is more commonly the case with hospitality than with a gift) you should seek advice from the Executive Office and Governance Team.

## **6. Declaring and recording gifts and hospitality**

- 6.1 Council members and staff should declare any gift, hospitality or benefit received in this capacity, or connected to the performance of their duties or GPhC activities.
- 6.2 It is not necessary to record/register gifts with a value of less than £20, or hospitality such as a light lunch as part of a working event.
- 6.3 If you receive a gift or hospitality which has to be recorded/registered, you must speak to the Executive Office and Governance Team to update the register.
- 6.4 Additionally, every six months (usually March and September) Council members, and senior staff (Directors) will be asked to update their declaration of gifts and hospitality by completing a new form, including sending in a nil return, if appropriate. These are published on the GPhC website.
- 6.5 Gifts and hospitality declared by all other staff are kept in a separate register held in the Executive Office.
- 6.6 A In line with our anti-bribery policy, any offering, or giving, of gifts and/or hospitality must:
  - Be given at a corporate level, not an individual level;
  - be appropriate, reasonable, proportionate, given in good faith and at an appropriate time; and be given openly;
  - not be given or received with the intention of influencing a third party to obtain or retain business or business advantage, to reward the provision or retention of business or business advantage, or in an explicit or implicit exchange for favours or benefits;
  - not constitute an offence under the Bribery Act 2010 (*see GPhC Anti-bribery policy for more information*);
  - not include cash or a cash equivalent;
- 6.7 The purchase of gifts, using GPhC funds, should only be considered in exceptional circumstances. For example, in some cases, it may be appropriate for the GPhC to provide hospitality, for example, a light lunch as part of a stakeholder event or meeting.
- 6.8 You should seek approval from the relevant budget holder, or advice from the relevant Director or the Executive Office and Governance Team before proceeding.

## **7. Supporting documents**

- 7.1 This policy is supported by a range of other supporting policies and procedures, which can be found on the Governance, HR and Finance pages of the intranet, and in the policies and procedures library. This includes:
- Standing orders of Council
  - Declarations of Interest Policy
  - GPhC Staff Code of Conduct
  - Values, conduct and behaviours for Council members, associates and partners
  - Anti-bribery policy
  - Disciplinary policy and procedures
  - Raising concerns policy
- 7.2 For more information or advice about this policy, please contact the Executive Office and Governance Team.

