

PHX TRAINING - ACCEPTANCE OF GIFTS POLICY

Introduction

The purpose of this policy is to provide guidance to staff on the action that can, or should, be taken in the event that they are offered gifts and/or hospitality. There is a limited set of exceptions and this policy sets out the standards and procedures that staff should follow to protect both them and the organisation.

Policy Statement

This policy supports a culture of openness and transparency in PHX Training's business transactions.

Scope

All Staff employed by PHX Training Ltd should also refer to their respective professional codes of conduct relating to the acceptance of gifts and hospitality.

The Law

Under the Bribery Act 2010 (Act) it is an offence for employees to:

Pay bribes: to offer or give a financial or other advantage with the intention of inducing that person to perform a relevant function or activity improperly or to reward that person for doing so; and/or to

Receive bribes: to receive a financial or other advantage intending that a relevant function or activity should be performed improperly as a result.

Fail to prevent bribery: an organisation is guilty of an offence if an associated person, ie someone who performs services on behalf of the organisation, bribes another person intending to obtain or retain business or a business advantage.

"Relevant function or activity" includes any function of a public nature and any activity connected with a business. The employee performing the activity is required to perform it in good faith or impartially or be in a position of trust. Conviction under the Act is punishable by imprisonment for a maximum term of 10 years.

In certain circumstances, these offences could be committed as a result of a gift consideration being accepted by a friend or relative as well as by a member of staff.

Responsibilities

The Managing Director has overall accountability and responsibility for implementation of this policy. The Finance Director has delegated responsibility for day-to-day management of the Acceptance of Gifts and Hospitality Policy. Ensuring all employees are aware of their responsibilities, the law and PHX Trainings policy on acceptance of Gifts and Hospitality. Ensuring that breaches of policy are dealt with in

a fair and consistent manner. Advising staff on the contents of this policy. Ensuring that adequate records are established

Managers are responsible for ensuring that their staff are aware of, and adhere to, the policy.

All staff are responsible for following the policy and for declaring any receipt of gifts or hospitality covered within the confines of this policy.

Receipt of Gifts and Hospitality Guidance

Casual Gifts, including gifts from clients.

Any gift, or offer of a gift which is perceived to exceed £25 must be declared and Registered with the finance Director by email.

Casual gifts by contractors or others, e.g. at Christmas time, must not be in any way connected with the performance of duties. Items of low intrinsic value such as diaries and other items of work related stationery and equipment may be accepted and need not be recorded in the Register.

It is acceptable to receive other small value items, for example from a client in appreciation of the service received, or seasonal items, if it is made clear to the person offering the gift or hospitality that it is accepted on behalf of the team (and indeed, is shared with colleagues). In cases of doubt advice must be sought from your line manager and in no case, must a gift be accepted without prior written approval of the Manager if the estimated value of the gift exceeds £25. If a gift falls outside of identified „small value items“ and arrives without warning, it must be handed over to the Finance Director who will decide whether the gift should be returned (or passed on to a charity or good cause) and will ensure that the donor is informed of what has happened.

Under no circumstances must staff accept personal gifts of cash, even below the £25 limit

All offers of hospitality should be approached with caution. Modest hospitality, for example, a drink and sandwich during a visit or a working lunch is normal and reasonable and does not Policy for the Acceptance of Gifts and Hospitality require approval of a manager. Offers of hospitality relating to theatre evenings, sporting fixtures, or holiday accommodation, or other hospitality must be declined.

There is an important difference between, for example, attendance in an official capacity at a function organised by a public body and accepting hospitality from a private individual or firm standing to benefit from the goodwill of PHX Training. Particular care must be taken when dealing with contractors, developers and firms or individuals in a comparable position.

Register of Gifts and Hospitality

If after referring to the above guidance, it is necessary for a member of PHX Training staff to declare an acceptance or refusal of gifts or hospitality, the following steps should be taken to ensure full compliance with this policy:

Inform your manager and the Finance Director by email detailing

Title: Surname: Forename:

Job Title: Telephone:

Receipt/Offer of Hospitality and Gifts

Nature of Benefit offered:

Company or individual from which offer received:

Name of company representative (if applicable):

Was the gift/hospitality accepted?

Breaches of Policy

Non-compliance with the above requirements will be deemed as a disciplinary matter and breaches of the policy will be handled in accordance with the PHX Training disciplinary procedure.

Where it is proven that actual fraud has taken place then criminal charges may be brought. Policy for the Acceptance of Gifts and Hospitality

Signed

Date