

## Marshall Aid Commemoration Commission Gifts and Hospitality Policy

### Introduction

1. The Marshall Aid Commemoration Commission (MACC) is committed to the highest possible standards of openness, probity and accountability. It is essential that Marshall Commissioners display the highest standards of personal honesty and integrity when dealing with gifts and hospitality and follow prescribed procedures to ensure transparency and propriety.
2. More generally, it is also an offence under the Bribery Act 2010 to:
  - offer or give a person anything of value in order to induce, or reward them for doing something improper; or
  - request, agree to receive or accept anything of value for doing something improper. Someone behaves improperly when they carry out a task in a way that breaches an expectation that they will carry it out impartially or in good faith or the person carrying out the task is in a position of trust and breaches that trust.
3. The MACC does not prohibit the receipt or giving of gifts or hospitality. The MACC recognises that there are often different circumstances surrounding the receipt and provision of gifts and hospitality and often each case has to be judged on its own merits. This policy provides some guidance towards informing that judgement. As a general guide, Commissioners should ask themselves: “Would the reputation of the MACC and my own reputation be damaged if this gift or hospitality were reported by a national newspaper?”

### Scope

4. This Policy will be applied consistently in relation to all Commissioners in the exercise of their duties as Commissioners regardless of gender, gender reassignment, marital or family status, age, disability, ethnic origin, creed, religion/belief, sexual orientation, or any other condition or requirement which cannot be shown to be justifiable.
5. Marshall Commissioners are responsible for their own compliance with this policy and the law. Even if the Chair or the FCO were to instruct you to perform an act that violated this policy, other MACC policies, or the law, this would not affect your own responsibility for compliance and would not be considered a valid excuse.
6. These arrangements apply to:
  - All Marshall Commissioners
  - All staff contracted for administration to the MACC
  - Sub Committees of the MACC
  - External members of the MACC’s committees and advisory groups

### Aims of the Policy

7. This policy does not cover every issue that may arise, but it sets out the basic principles that must be complied with and which will be a guide in the course of performing the duties and responsibilities of being a Commissioner.

## Accepting Gifts & Hospitality

8. The guiding principles governing the acceptance of gifts and hospitality by Commissioners are:

- i. The conduct of Commissioners should not give rise to any suspicion of conflict between their MACC duty and their private interests;
- ii. Gifts and hospitality should never be solicited;
- iii. The actions of Commissioners should not give the impression to other stakeholders, including other Commissioners, that they have been or may have been influenced by a gift;
- iv. Gifts and hospitality should never be accepted in exchange for doing, or promising to do or not to do, something;
- v. If a Commissioner is in doubt about the propriety of accepting either a gift or an item of hospitality, then it should be refused.

9. Specifically Commissioners cannot accept:

- i. gifts that are cash or cash equivalents, including gift certificates,
- ii. Gifts of a value of over £25. In exceptional circumstances the Chair may give authority to accept a gift with a value of over £25, but in those rare cases the receipt of the gift and the reason for accepting it must be entered in the Gifts and Hospitality register.

10. In addition:

- i. Hospitality received with a value of £50 pounds or more must be recorded in the Gifts and Hospitality Register.
- ii. Unduly lavish or extravagant, and not otherwise reasonable and customary, hospitality for the circumstances should be refused.

## Corporate Hospitality and Official Visits

11. Where the Commission organises events such as the Annual Dinner and the Welcome Reception for Scholars these events will be recorded corporately in the Gifts and Hospitality Register. Similarly entries will be made on behalf of the Commission on any gifts or hospitality received whilst travelling with the Scholars on visits to Devolved Administrations or on Commissioners' occasional visits to Washington for the Ambassador's Advisory Council.

## Providing Gifts and Hospitality

12. The guiding principles are that:

- i. On certain occasions it is necessary to give gifts to other organisations and individuals as recognised etiquette or very occasionally to Commissioners as rewards under a recognition scheme.
- ii. Gifts and hospitality should only be given to further the aims of the MACC and should represent value for money whilst also presenting the MACC in a favourable light.
- iii. Gifts must not be cash or cash equivalents, and gifts and hospitality must not be unduly lavish or extravagant. Hospitality must be given at venues, and be provided in a manner, that would not be harmful to the MACC's reputation. Any gifts or hospitality given to the value of more than £25 (£50 for hospitality) per person must be recorded.
- iv. The process involved in the decision to give gifts or hospitality should be fully transparent and the reason justifiable.

## Recording Gifts and Hospitality

13. The MACC will keep a record of gifts and hospitality received and given in the financial year. In accordance with the rules set out above details of gifts and hospitality received and provided must be recorded in the Gifts and Hospitality Register.

14. The onus is on each Commissioner to abide by the rules and declare gifts and hospitality at the earliest opportunity.

## Review Date

15. This Policy will be reviewed annually and be approved by the Audit and Risk Management Committee.