

# ELLEN MACARTHUR CANCER TRUST

## Policy on Gifts and Hospitality



### Introduction

This Policy applies to the Ellen MacArthur Cancer Trust (the "Trust").

It must be adhered to by all individuals who direct, support or work, directly or indirectly, for the Trust including:

Volunteers;

Employees;

Trustees;

Directors;

Advisors/Consultants;

Any person acting on behalf of the Trust.

### Why is this Policy necessary?

This Policy is necessary to:

- Safeguard the Trust's reputation;
- Protect the reputation of those who work so hard to help the Trust in its fundraising activities and/or delivery of its charitable objectives;
- Avoid conflicts of interest or the appearance of conflicts of interest;
- Provide specific guidance to support compliance with the Trust's Anti-fraud, Bribery and Corruption Policy and applicable laws;
- Protect the Chief Executive Officer ("CEO") and the Trustees against the accusation that such gifts or hospitality are intended to influence the decisions they take in administering the Trust's affairs.
- Help the CEO and Trustees to discharge their legal duty to act only in the best independent interests of the Trust.

### Policy

The Trust will investigate thoroughly any actual or suspected breach of this Policy, or the spirit of this Policy. Individuals found to have accepted a gift in breach of the Policy may be subject to disciplinary and/or other action.

## **Gifts**

Except as set out below, the Trust does not permit the acceptance of a gift(s) by any person or persons covered by this Policy from any individual, company, organisation or body, including, without limitation:

- The Trust's young persons (or persons connected with such young person's e.g. parents and guardians);
- Current or potential Trust suppliers and contractors;
- Partner organisations;
- Donors;
- Governmental, national or international organisations;
- Other charities, businesses or supporters of the Trust.

This Policy also applies to any gifts offered or given to people connected with those covered by this Policy (e.g. friends and family).

Gifts should never be solicited and, unless covered by the exception below, should be politely declined or returned, citing this Policy as the reason for doing so. In the rare circumstance where it is not possible to return a gift, the recipient should pay the market price or donate the gift to the Trust directly. Please see below as to the reporting requirements in the event of an offer of a gift or other inducement.

Offers of 'Staff' discounts must be approved by the Chair of the Board of Trustees of the Trust ("the Chair"), or his nominated deputy from the Board, on a case by case basis and the discount should be of a level widely available and not be restricted to a small group of individuals.

The Trust will apply the same policy with regard to the offer of gifts to individuals connected to the companies, organisations and bodies with which it has, or wishes to have, dealings.

## **Hospitality**

As a general principle, the Trust discourages those covered by this Policy from accepting hospitality from any individual or organisation with which the Trust has, or potentially has, dealings. It is, however, recognised, that there can be occasions when it is in the best interest of the Trust for such hospitality to be accepted: By example, hospitality in the form of reasonable refreshments, working lunches etc. can be accepted and does not have to be recorded in the Gifts and Hospitality Register. For any hospitality which goes further, the CEO is to liaise with the Chair, (or his nominated deputy from the Board), so that a decision can be made as to whether the hospitality should be accepted. A record of any such hospitality offered, regardless of whether it is declined or accepted, will be made in the Gifts and Hospitality Register.

## **Exceptions to the Policy above**

The test to be applied in all potential exception situations for the offer of gifts, hospitality or inducements is whether a fair-minded member of the public, knowing the facts of the matter, would see anything improper or suspicious in the receipt of the offer and/or hospitality.

It is accepted that in some circumstances it may be appropriate for staff, volunteers or Trustees to receive modest gifts ("modest gifts"), for example, the receipt of items such as a box of chocolates from

a young person (or pens from organisations with which the Trust conducts business) where this can reasonably be regarded as being in the Trust's best interests. However, it is a fundamental principle that any exception to the above policy should be justifiable, open and would not be construed by an impartial observer as influencing business decisions. The recipient of any such gift(s) is not to accept them without the approval of the CEO who, in the event of doubt (or if the gift is to be made to the CEO), will consult with the Chair.

Apart from any modest gifts (such as pens, diaries, a bottle of wine or some flowers to a value of less than £10), unsolicited gifts with a value of under £50 can be accepted, with the approval of the CEO (or if the gift is to him with the approval of the Chair), provided that the gift is not given or accepted with an expectation that there is any obligation owed as a result of the gift. Any cash gift must be donated by the recipient to the Trust. For any non-cash gift, the market price of the gift should be paid to the Trust.

Any gift offered which is known to exceed the value of £50, or reasonably expected to exceed this value, should kindly be declined.

The relevant details in respect of all gifts (including those which are declined or returned) are to be entered in the Gifts and Hospitality Register.

#### **Register of Gifts and Hospitality**

The CEO will hold and maintain the Gifts and Hospitality Register. All staff, volunteers and Trustees must, if they accept or decline any gift or hospitality, inform the CEO by email within seven days of the offer.

The information contained within the Gifts and Hospitality Register may also be reported to the Trust's auditors and any appropriate committee or Board meetings.

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