

## Bribery, Gifts and Hospitality Policy and Procedures

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### Purpose

Bribery and the giving or receipt of inappropriate gifts or hospitality can damage NYJO. They may constitute a criminal offence and can jeopardise your own as well as NYJO's reputation. The purpose of this policy is to protect the integrity of NYJO's decision making process and to protect the integrity and reputation of everyone that works for or with NYJO.

### Scope

NYJO is an organisation that values everyone who contributes to and benefits from our work. We are a community of employees, freelance administrators and artists, guest artists, trustees, education partners, funders, audiences, young performers, students and project participants, and their families. For the purposes of this document, we will use the terms 'professionals', denoting employees, freelance administrators and artists, guest artists and trustees; and 'beneficiaries', denoting young performers, students, project participants and their families, and communities.

Amongst its professionals, NYJO recognises the different legal obligations inherent in relationships based on contracts of employment (ie staff) and contracts for services (ie freelancers). Whilst acknowledging the different contractual arrangements, we are committed to treating all professionals with equal and appropriate respect, and of fully engaging with and appreciating all who contribute to the success of our work.

This policy applies to all NYJO professionals, as well as other persons or bodies acting on NYJO's behalf.

## Definitions

A **bribe** is a payment, gift or other financial or non-financial inducement (including gifts or hospitality) made to or from any person or company (whether they are a public official or body or private person or company) in order to gain any financial, commercial or regulatory advantage or favourable treatment for any individual personally, or the person or body who they represent or who employs them.

**Gifts and Hospitality** includes the provision of any form of goods and services (including entertainment, meals and accommodation).

**Gifts and hospitality are inappropriate** if they could be perceived as influencing decisions or actions, or otherwise creating a potential conflict of interest for the recipient.

## NYJO Professionals' obligations

- a) You must read, understand and be familiar with this policy;
- b) You must not (whether directly or indirectly) offer, give, seek or accept any bribe or allow anybody else to do so on your behalf;
- c) You must not (either directly or indirectly) offer, give, seek or accept illegal or inappropriate gifts and hospitality;
- d) You must register (even if declined) and obtain written approval (which can include by email) from the Chief Executive of any gifts or hospitality exceeding £50 in value ideally using the form in Appendix 1; and
- e) must immediately report to the Chief Executive any actual, potential or attempted or suspected violation of this policy.

Non observance of this policy, whether by acts or omissions, may constitute gross misconduct.

Where the payment, gift or hospitality affects the Chief Executive, the registration and approval should be to and from the Chair, advised by any legally qualified trustee.

This policy is not meant to prohibit:

- the giving or receipt of normal and appropriate gifts and hospitality which is not intended to influence and could not be perceived as influencing decisions or actions, or otherwise creating a potential conflict of interest for the recipient;
- the giving or receipt of occasional and reasonable business lunches, dinners and gig opportunities (see below);
- the use of any recognised, official and lawful fast-track process which is publicly available to all on payment of a transparent fee.

Inevitably, decisions as to what is acceptable may not always be easy. If you are in any doubt as to whether a potential act may constitute bribery or an inappropriate gift or hospitality, the matter should be disclosed to the Chief Executive before proceeding.

Good questions which you and the Chief Executive should ask are:

1. Can I justify the acceptance of (or the giving of) this gift and or hospitality to my line manager or director, without the need for further questioning or discussion?

2. If my acceptance of (or the giving of) this gift or hospitality were to find its way onto the front page of a newspaper, how would this appear to the general public?
3. Would the gift or hospitality alter how I would act with the third party or they with me?
4. Would I feel concerned if I were to see a colleague accept (or give) the gift or the hospitality?

## NYJO's organisational obligations

**Comply:** NYJO will comply with all laws relevant to countering bribery and corruption in the countries in which it operates, including in particular the UK Bribery Act 2010, taking firm and vigorous action against any individual(s) involved in bribery.

**Declare:** The Chief Executive shall maintain a register of gifts and hospitality and encourage all NYJO professionals to be vigilant and to report any suspicion of bribery or inappropriate gifts or hospitality.

**Review and Act:** The Chief Executive shall carefully consider requests for approval of gifts and hospitality and rigorously investigate any suspicions of bribery or inappropriate gifts and hospitality.

**Record:** The Chief Executive shall maintain a record of all gifts and hospitality for a period of 6 years after the disclosure.

**Gig Opportunities:** NYJO recognises that its professionals will often be asked to “dep” or perform at gigs for each other. There is nothing wrong with this as long as the frequency or nature of payment is reasonable and not likely to unduly influence or be perceived as influencing NYJO's decision making. Further guidance on this subject is included in NYJO's Conflict of Interest Policy.

## Policy Review

Policy last reviewed: September 2021
Policy approved by board:
Next review due: September 2023
Responsible Trustee: Tricia Sibbons

## Appendix 1: Request for Approval of Gifts and Hospitality

Please complete this form and submit to the Chief Executive

Name and role within NYJO

Please give details of the gift and hospitality, including

- whether NYJO was giver or receiver;
- the person, and the organisation they represent, giving or receiving;
- the nature of the gift or hospitality, and its estimated value;
- the circumstances under which the offer was made and the status of the offer (offered/accepted);
- factors affecting whether you consider the gift or hospitality appropriate or inappropriate.

I hereby declare that I:

- Have received, read, and understand the policy on bribery, gifts and hospitality;
- Agree comply with the policy on bribery, gifts and hospitality;
- Will amend and update this form promptly if any information therein changes substantially or new information arises.

Signed and dated

**For internal use only**

Reviewer (name, position and date of review)

Details of actions taken