

## Gifts and Hospitality Policy

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### Key messages

The main objective of this policy is to protect the ICO from perceptions of bias due to gifts or hospitality which staff have been offered or received. It provides guidance for staff who are:

- Offered a gift and/or hospitality (sections 3, 4 and 5), including the need to record such offers (section 6).
- Thinking of offering gifts and/or hospital to an external party (section 7).

Specific circumstances, such as gifts or hospitality in relation to speaking at an externally hosted event, or being based in a regional office, are covered by this policy. Please familiarise yourself with this policy before responding to any requests.

### Does this policy relate to me?

This policy applies to all employees of the ICO, as well as those working on behalf of the ICO, such as contractors or secondees. The policy should also be considered by Non-Executive Directors when they are engaged on business explicitly for the ICO, or which may be perceived as such.

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### 1. Introduction

- 1.1. This policy provides guidance on what to do if you are offered gifts and/or hospitality.
- 1.2. The ICO Code of Conduct for staff states that:

“You should not use your official position to receive, agree to accept or attempt to obtain any payment or other consideration for doing, or not doing, anything or showing favour, or disfavour, to any person.”

Therefore, you should not receive benefits of any kind from a third party which might be seen by a reasonable person to compromise your personal judgement and integrity, or the judgement and integrity of the ICO.
- 1.3. The policy is designed to help staff with complying with the above and seeks to protect staff and the ICO from accusations of showing favour to any organisation (such as a data controller against which we are engaged in or considering formal enforcement action). The policy also aims to ensure that conduct in relation to gifts and hospitality is compliant with the Bribery Act 2010, offences under

which can be punished by a prison term of up to 10 years. Similar policies exist across the public sector.

- 1.4. This policy will be shared with Management Board members, as well as any independent members of Management Board Committees, at onboarding and annually to ensure they are all sighted on its requirements.

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## 2. Guiding Principles

- 2.1. The main consideration when deciding whether to accept any gifts and/or hospitality should be the public perception of the ICO receiving such a gift or hospitality. Ask yourself: **would an average member of the public think that the gift and/or hospitality might influence how the ICO acts?** Even if you do not think that you will be influenced, you need to consider this question from the perspective of an average member of the public.
- 2.2. There will often be an element of judgement in coming to a decision. If in doubt, err on the side of caution and do not accept the gift and/or hospitality. If you are aware of such an offer in advance (this is more commonly the case with hospitality than with a gift) you may be able to discuss a decision with any of the following:
  - Director of Finance and Estates
  - Director of Risk and Governance
  - Head of Finance
  - Head of Risk and Governance
  - Corporate Governance and Secretariat Group Manager
  - Corporate Governance Manager
  - Corporate Governance Officer
- 2.3. 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 enforcement action. You should also **never** accept any gift and/or hospitality from any person or organisation with which you know we are considering entering into a contract. Please note, there is not an expectation that you will be aware of all

of the ICO's work; rather, the expectation is that if you **are** aware of such work, you should act accordingly.

- 2.4. If you are unsure about this issue, please contact Corporate Governance, who will advise you accordingly.
- 2.5. Gifts are easily defined – they are physical objects deliberately offered to a member of ICO staff by a person or organisation outside of the ICO. However, hospitality can be more difficult to define. This could be travel, accommodation, food, drink, entertainment, a cultural or sporting event (participating or spectating) or anything similar which is offered by a person or organisation outside of the ICO.
- 2.6. In some instances, gifts and hospitality may be combined (e.g. a commemorative item may be provided as part of a hospitality event).

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### 3. Gifts

- 3.1 Gifts are categorised based on their value. In most circumstances, this will need to be estimated based on the rough market value of equivalent goods. Gifts should be considered to be offered to the ICO as a whole, rather than the specific individual receiving the offer of the gift. When considering the value of a gift, you should consider all gifts received from one person or organisation over a reasonable timescale as a single gift (e.g. if you receive five items each worth £5, you should consider them as a single gift worth £25) The categories of gifts are as follows:
- 3.2 Category A – Gifts of little or no intrinsic value: These are smaller gifts, such as those typically handed out at conferences (e.g. pens, diaries etc.). These gifts are often primarily marketing tools and typically cost less than £5. **These types of gifts can be accepted and kept by the individual.** They do not need to be recorded in the Gift and Hospitality Register.
- 5.1. Category B – Gifts with an estimated intrinsic value of £5-£30: These are typically gifts given in gratitude or to mark an occasion (such as Christmas). Examples of gifts which may be received in this category are alcohol, flowers or foodstuffs. Gifts received in this

category should be recorded in the Gift and Hospitality Register (see [section 6](#)).

- 5.2. These types of gifts can be accepted, but as gifts are offered to the ICO as a whole rather than individuals, these should normally be raffled or shared. If a gift is not appropriate to be raffled or shared (such as where the gift is perishable or otherwise unsuitable for storage until a raffle can be completed), the gift may be consumed by teams or departments.
- 5.3. When a gift is raffled, raffle tickets should be made available to all staff and the proceeds will be donated to charity. The Facilities Teams will arrange such raffles on a regular basis when there are a sufficient number of gifts, usually to coincide with staff events. Decisions on what to do with gifts received by Regional Offices should be taken by the relevant Department Heads, bearing in mind this policy.
- 3.3 In some instances, you may come to realise that the value of the gift is higher than your original estimate and should not have been accepted. In circumstances such as this, you should return the gift (if practical), providing a letter to explain the reason. If it is not practical to return the gift in these circumstances, you should record the reason for not returning it when declaring the gift on the register (see [section 6](#)).
- 3.4 Category C – High Value Gifts: On some occasions, gifts of a high value (in excess of £30) will be offered. These gifts should not be accepted, as accepting such gifts may look to people outside the organisation as if they have been offered in order to compromise the judgement or integrity of the organisation.
- 3.5 In some circumstances, it may be difficult to refuse a high value gift (for example, when it is offered by an international delegation and refusal could cause offence). In these circumstances, the gift can be accepted and should be recorded on the register (see [section 6](#)). If appropriate, the gift may then be raffled, or donated to charity. If that is not appropriate, the gift will always be held by the ICO as a whole, rather than by the individual to whom it was offered.
- 3.6 Any gift offered in this category must be recorded in the Gift and Hospitality Register (see [section 6](#)), even if it is refused.

- 3.7 Category D - Gifts from any organisation against which, to the best of your knowledge, we are engaged in or considering formal enforcement action, or are considering entering in to a contract: These gifts should never be accepted, regardless of their value, as there is a clear risk that this would create a perception outside the organisation of an attempt to compromise the ICO's judgement or integrity. If offers of gifts in this category fall into the criteria of Category B or C Gifts, they should be recorded in the Gift and Hospitality Register (see [section 6](#)).
- 3.8 In some instances, you may become aware that an organisation is subject to an the ICO investigation after you have accepted a gift; some investigations are not widely publicised until they have reached a relatively advanced stage. It is not expected that you will always be aware of all aspects of the ICO's work. In instances where you do become aware of such work, you should consider returning the gift, providing a letter to explain the reason. As stated earlier, there is not an expectation that you will be aware of all of the ICO's work; rather, the expectation is that if you **are** aware of such work, you should act accordingly.

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## 4. Hospitality

- 4.1. Hospitality in the form of reasonable refreshments, intrinsic to another event (such as tea or coffee, a working lunch, or a lunch provided as part of an all-day training course), can be accepted. Hospitality such as this does not need to be recorded in the Gift and Hospitality Register. However, you may need to note that you received refreshments when making expense claims.
- 4.2. If hospitality is not incidental to an event (such as a meal in a restaurant prior to a meeting, where little or no discussion of the subject of the meeting is anticipated) this should be considered as outlined at paragraph 4.3.
- 4.3. There are no specific value thresholds for hospitality. Therefore, offers of other hospitality beyond that set out in paragraph 4.1 need to be considered carefully. The three principles which should be considered are:

- Purpose – is the hospitality in the interests of the ICO and does it further the ICO's objectives? Is there a genuine business reason to accept the hospitality?
  - Proportionality – Hospitality should not be over-generous (either because it is particularly lavish or because it is disproportionate to the relationship between the ICO and the individual or organisation). Hospitality should also not be over-frequent from the same source as such hospitality could create the perception that a person or organisation is influencing the ICO.
  - Conflict of interest – you should always consider the relationship between the ICO as a whole and the person or organisation offering the hospitality. If you know that the ICO is engaged in or considering formal enforcement action against the person or organisation, or is considering entering into a contract with the organisation, you should **never** accept the offer of hospitality. As explained at paragraph 4.1, things like working lunches are not considered to be hospitality so should not create a conflict of interest.
- 4.4. Hospitality which is proportionate, for a clear business purpose and does not create a conflict of interest **can be accepted** and should be recorded in the Gifts and Hospitality Register (see [section 6](#)).
- 4.5. Hospitality which is disproportionate, without a clear business purpose or may create a conflict of interest **must be refused**. The offer of hospitality should still be recorded in the Gifts and Hospitality Register (see [section 6](#)).
- 4.6. Typically, offers of hospitality are made well in advance of the event in question. Therefore, you should be able to discuss a decision with any of the following:
- Director of Risk and Governance
  - Director of Finance and Estates
  - Head of Finance
  - Head of Risk and Governance
  - Corporate Governance and Secretariat Group Manager
  - Corporate Governance Manager

- Corporate Governance Officer

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## 5. Travel, other costs and gifts associated with attending a conference as a speaker

- 5.1. It is the ICO policy to ask for the travel and subsistence costs of an the ICO speaker to be paid by commercial conference organisers. Receipts can be kept by the ICO.
- 5.2. For decisions regarding attendance at a conference as a speaker, you **must** refer to the [Speaking and Engagement Policy](#).
- 5.3. In some instances, as part of a request for an the ICO speaker at an event, there may be an associated offer of a gift or hospitality. Such offers will never factor into the decision of whether to accept or reject the request for an the ICO speaker.
- 5.4. Once a decision has been made on whether to accept the speaking request, a decision should be made on the offered gift or hospitality, in line with the principles set out in [section 3](#) and [section 4](#).
- 5.5. On some occasions, there will be an offer from the organisers to make a donation to a charity in the ICO's name. This is acceptable, although you must ensure that the charity to which the donation is being made is appropriate (it may be useful to use the Third-Party Collaboration Policy to consider this, [available at this link](#)). You should also consider any potential conflicts of interest arising from the chosen charity, whether for you personally or for the ICO as a whole. If in doubt, you can suggest a donation to our corporate charity partner, [information of which is available at this link](#). You should also ensure that the donation should not be excessive. However, there is no definition of excessive; you will need to judge this on a case-by-case basis. You can consult with any of the people identified at paragraph 4.6 if you need further advice.
- 5.6. Such a donation as described at paragraph 5.5 must always be made directly by the other organisation to the charity. ICO funds are public funds and cannot be used for charitable donations.
- 5.7. If the speaking request is rejected, the gift or hospitality must always be rejected. In such circumstances, the offer of a gift or

hospitality does **not** need to be recorded within the gift and hospitality register.

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## 6. The Gifts and Hospitality Register

- 6.1. The Gifts and Hospitality register is kept by the Facilities Team in Wycliffe House. The register is a vital part of this policy. It is how we transparently record and publish any gifts or hospitality which we have been offered.
- 6.2. If you are offered a gift or hospitality which has to be recorded (Category B or C) you **must** contact Facilities to update the register. They will also store gifts which need to be kept. You must also declare any gifts or hospitality which the ICO offers, as set out in [section 7](#). You must also declare even gifts or hospitality which has been declined, as set out in [section 3](#) and [section 4](#). A form is provided as an annex to this policy to provide a structure for a declaration. There is also a [link to an editable version](#), which can be completed and submitted to Facilities electronically.
- 6.3. You do not need to use the form provided if you prefer a different format, but your declaration must include: your name; the date of the offer; the organisation / individual making the offer; the nature of the offer; an indication of which category the gift is (see [section 3](#) of this policy); and whether it was accepted or declined.
- 6.4. You should register your gift as soon as you receive it. If you initially forget to register a gift, please do so as soon as possible. It is better to register the gift late than to not register it at all. If you do not register a gift that becomes publicly known about, this could create a perception that the ICO was deliberately hiding the gift.
- 6.5. Each quarter, the Corporate Governance Team will liaise with the Facilities team to create an electronic list of the gifts and hospitality received each quarter, which will be published [on our website](#).

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## 7. Purchasing gifts or providing hospitality

- 7.1. The purchase of gifts or provision of hospitality, using the ICO funds, should only be considered in exceptional circumstances. When considering purchase of gifts or providing hospitality using

the ICO funds, you should always remember that these are public funds, and that the ICO is primarily funded by small businesses. When providing hospitality, you should always ensure that it is appropriate for the event, and could not be considered to be in any way excessive.

- 7.2. The purchase of gifts will normally only be appropriate where they are to be presented by senior officials when it is anticipated that a gift may be offered and it is considered necessary to reciprocate or it is culturally appropriate. Occasionally, it may also be appropriate to present a gift to a visiting or overseas VIP.
- 7.3. The current limits on expenditure on officials gifts are as follows:
  - To senior government officials, an information commissioner, or equivalent - £30;
  - To junior government officials or equivalent - £25;
  - To liaison officers/tour organisers or equivalent - £15.
- 7.4. You should usually consult the Head of Finance or Director of Finance and Estates **before** purchasing gifts. In exceptional circumstances, the purchase of a gift may need to exceed these limits. In such circumstances, the Director of Finance and Estates **must** be informed. Per our management agreement with DSIT, any gifts given to a single person or organisation above the thresholds set out in paragraph 7.3 must be reported within the annual accounts.
- 7.5. In some circumstances, the ICO may be expected to provide hospitality for official visitors (for example, delegations from other data protection authorities). The definitions of hospitality are the same as those set out in paragraphs 4.1 and 4.2. Reasonable refreshments are not considered to be hospitality. In deciding whether to provide hospitality, the same considerations as set out in paragraph 4.3 apply.
- 7.6. There is no specific price limit on the level of spend per head for providing hospitality, as there will be a significant degree of variation based on the seniority of the people for whom the hospitality is being provided and the area of the UK in which the hospitality is being provided. The key consideration should be whether the level of hospitality provided would be considered by the

public to be **proportionate for the visitors in question and a reasonable use of public funds**. Reasonable catering for meetings (such as refreshments or working lunches) is not considered to be hospitality or the purposes of this policy and does not need to be declared.

- 7.7. You should always check with the Finance Team ([email address at this link](#)) **prior to** purchasing a gift or hospitality to confirm the correct way to purchase the gift and evidence approval.
- 7.8. All gifts or hospitality provided by the ICO **must** be recorded within the Gifts and Hospitality register.
- 7.9. Note that the ICO funds, as public funds, can never be used to contribute to a charity.

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## 8. Reward schemes and raffles

- 8.1. Reward schemes (such as Air Miles) or anything broadly similar are not considered to be gifts or hospitality. When benefits from such schemes are obtained via work purchases (e.g. travel tickets) they should be used for work purposes if at all possible. Purchase of anything involving such schemes must always comply with relevant corporate policies.
- 8.2. Similarly, prizes from raffles entered while on ICO business (such as while attending a conference or event) will not usually be considered to be gifts or hospitality and do not need to be declared, regardless of the value of the prize. As winning a prize from such a raffle is based on luck, this is not considered to be a gift or hospitality offered specifically to the ICO. An exception to this is where every entrant to a raffle receives a prize, which should be considered a gift or hospitality and considered in line with [section 3](#) and [section 4](#) of this policy.

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## 9. Breaches

- 9.1. Any breaches of this policy will be considered in line with the Disciplinary Policy.

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## Feedback on this document

If you have any feedback on this document, please [click this link](#) to provide it.

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## Version history

Version	Changes made	Date	Made by
7.8	Annual review. Various minor updates to provide additional clarity, including specific information about raffle prizes.	November 2025	Chris Braithwaite
7.7	Annual review. Updated gift threshold to £30.	January 2025	Chris Braithwaite
7.6	Updated to include internal audit recommendations. Minor typos and changes. Form amended to reflect best practice.	December 2023	Fiona Wilcock
7.5	Updated job titles to speak to for advice; added contractors and secondees to scope; added reference to corporate charity partner; explanation of purpose of register; moved ICO Regions section into register section; added reference to electronic register form; added reference to need to accounts declaration; fixed various minor typos and clarifications.	October 2022	Chris Braithwaite
7.4	Updated to new template. Key messages added.	August 2022	Aimee Smith

<b>Version</b>	<b>Changes made</b>	<b>Date</b>	<b>Made by</b>
7.3	Added link to feedback form	January 2022	Chris Braithwaite
7.2	Version control details added. Added clarification on purchasing gifts and hospitality, gifts around speaking engagements, the gifts and hospitality register, and compliance with other corporate policies when using reward schemes.	September 2021	Chris Braithwaite

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## Annex - Gifts and Hospitality register form

[Click this link to access an editable Word version of this form.](#)

Name:

Date of completion:

Date of offer	Description of gift or hospitality	Gift category (B, C or D) or hospitality	Organisation or person offering gift or hospitality	Was the gift or hospitality accepted or rejected? Please include date of decision	Was the gift donated to the ICO raffle or consumed?	Any additional notes

Please add additional lines if necessary

When completed, send this form to [facilitieservicedelivery@ico.org.uk](mailto:facilitieservicedelivery@ico.org.uk) to allow the gift or hospitality to be recorded.