

## 1. Purpose

The purpose of this policy is to outline the procedures for giving and receiving gifts or hospitality within East West Railway Company Limited (EWR Co). As a publicly funded arms-length body, EWR Co and those individuals with the scope of this policy must uphold the highest standards of integrity, impartiality, and transparency in all business dealings. The policy ensures compliance with the UK Bribery Act 2010, the Civil Service Code, Managing Public Money and other relevant cabinet office and departmental guidance.

## 2. Scope

This policy applies to all individuals working for EWR Co., including those working within a permanent or a fixed-term contract of employment, Board members, volunteers, contractors, secondees or suppliers. This policy also applies to any interim workers (either as consultants or contingent labour).

## 3. Policy

- 3.1 EWR Co prohibits the offering, giving, solicitation, or acceptance of gifts and hospitality that could influence or appear to influence business decisions or professional conduct. Employees must avoid situations that could create a conflict of interest or damage the reputation of the organisation.
- 3.2 The acceptance of gifts and hospitality must be proportionate, reasonable, infrequent and can stand up to public scrutiny.

## 4. Definitions

**Gifts:** Any item of value given or received without expectation of payment or reciprocal service, such as merchandise, gift cards, tickets, tokens of appreciation and gratitude or services.

**Hospitality:** includes meals, travel, accommodation, invitation to events, functions or social gatherings or entertainment provided for business purposes or goodwill.

## 5. General Rules

- 5.1 If you receive or are offered a gift or hospitality, they may not be accepted until they are properly declared and approved in line with the process set out in section 6.

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5.2 Subject to following the process in section 6, gifts or hospitality **may** be accepted if they:

- Are of nominal value (typically under £25) (e.g. pens or small promotional items).
- Are infrequent and not part of a pattern.
- Are offered a gesture of goodwill, not to influence.
- Are for legitimate business purposes (e.g. lunch with a service provider).
- Are not cash or cash-equivalent (e.g. gift cards).
- Attendance at a relevant external business event.

5.3 Gifts or hospitality must not be accepted if:

- Given/received during contract bidding or procurement periods.
- Intended to influence decisions or gain an unfair advantage.
- Offered on a quid pro quo' basis (offered for something in return).
- They are excessive, lavish or frequent.
- They involve travel, accommodation or entertainment unrelated to business.
- Involving cash or cash-equivalent items.
- Potentially damage EWR Co's reputation.
- In violation of local or international laws.

5.4 **Aggregation rule:** Where multiple gifts or instances of hospitality are received from the same source within a 12-month period, their cumulative value must be considered when determining whether declaration or approval is required. If the total value exceeds £25, it must be declared and approved accordingly.

## 6. Approval

6.1 All gifts or hospitality of **any** monetary value must be approved, declared and reported in advance of acceptance.

6.2 The approval process for accepting a gift, entertainment and hospitality is as follows:

- a) You must notify and seek approval from your line manager of any offer of gifts or hospitality you have received.
- b) Any offer of gift and hospitality which is declined by yourself, your line manager or due to policy concerns should also be reported.
- c) Gifts or hospitality above £100 must be approved in writing by a member of the Executive Team.
- d) For all gifts and hospitality that is approved by your line manager, a **formal request** must be submitted to EWR Co.'s Company Secretary via the online form. [Gifts and Hospitality Registration](#). The request should provide details about the proposed gift or hospitality, including any financial value and confirmation you

have sought line manager approval and confirmation the provider of the gift or hospitality is not currently involved in a contract bidding or procurement process.

- e) The Company Secretary will evaluate the request and confirm if approval is granted.
- 6.3 It is your responsibility to ensure you have sought the necessary approvals.
- 6.4 If accepting the relevant gifts, entertainment, or hospitality will occur any financial expense (which you are expecting to be met by EWR Co.), then specific approval must be obtained from the Head of Finance (“HoF”) in accordance with the Expenses Policy. Please note that any expenses not agreed in advance with the HoF will not be reimbursed or be payable by EWR Co.
- 6.5 All gifts and hospitality must be recorded in the gifts and hospitality register which is maintained by the Company Secretary.

## 7. Considerations

- 7.1 When evaluating a request, you should consider the following factors:
- Intent: is the gift or event’s purpose to build relationships, promote EWR Co. or is it something else?
  - Reputation: would there be any reputational risks if the gift or event was reported in the media or scrutinised by parliament?
  - Conflicts: does the gift or event conflict with EWR Co. interests?
  - Ethics: what if the situation was to be reversed – would we be comfortable offering the same? Could this compromise or appear to compromise my impartiality?
- 7.2 If you are unsure as to whether you should accept a gift or not, discuss with your line manager or the Company Secretary.

## 8. Application to Board Members

You are expected to ensure that any acceptance of gifts and hospitality can stand up to public scrutiny. Gifts or hospitality should be declined wherever possible, and any offers should be reported to the EWR Co’s Company Secretary. You should inform East West Railway Company Limited’s Company Secretary of the gift, the estimated value and the provider and ensure that a record is placed in the Company’s register. Similarly, care must be taken to ensure that no extravagance is involved with working lunches and other social occasions held in relation to carrying out your duties.

## 9. Breaches and Consequences

Failure to comply may result in disciplinary action, including termination of employment. Serious breaches may be reported to regulatory authorities such as Cabinet Office or National Audit Office. There could be legal consequences under the Bribery Act 2010.

## 10. References

The main policies & procedures relevant to this Policy are listed below.

| ID | Document title   | IMS ID |
|----|--|--------|
| 1  | <a href="#">Code of Conduct</a>                                  | 3065   |
| 3  | <a href="#">Counter Fraud Anti Bribery and Corruption Policy</a> | 2601   |

## 11. Review and updates

This policy will be reviewed annually and updated as necessary to reflect changes in legislation or business practices.