

VinciWorks

Gifts & Hospitality Registers

Best Practice Guidance

What is a Gifts & Hospitality Register?

As part of their ethical and legal obligations to root out bribery and corruption, many companies maintain registers to track gifts and hospitality. Bribery can include gifts, hospitality, favours, charitable donations, or any direct or indirect benefit. Gifts and hospitality registers usually contain details relating to the counterparty, the date and the value and purpose of the gift. There is often an approvals process too, although this may only be for gifts over a certain value.

Do you need a G&H register?

Bribery can have serious legal and reputational consequences for your organisation and, in some countries, organisations can even be prosecuted for failing to prevent employees from committing offences. But demonstrating that there were adequate procedures in place to prevent bribery could be crucial to a defence in 'failure to prevent' proceedings. A gift register is one such procedure.

In addition to anti-bribery laws, there are jurisdictions which have strict rules regarding the records that must be kept. For example, US issuers are obligated to keep accurate books, records and accounts. As it can sometimes prove difficult to convict companies of bribery offences, in certain jurisdictions the most effective way to bring companies to justice can be with charges relating to violations of accounting rules. A comprehensive gift register can help companies keep their accounting records up to date.

Six tips for implementing a G&H register

1

Identify the laws you are subject to

As Anti-bribery laws and cultural norms vary between countries, it is important to know all the rules your organisation is subject to.

Determine the places where your organisation operates, as well as the laws and regulations in those jurisdictions. Remember, you will not only need to comply with the laws in the country in which your company is registered. You should also consider whether you are governed by the laws of other jurisdictions, such as those of additional office locations or places where you frequently undertake business.

2

Formalise an internal policy

After you have identified the relevant jurisdictions and laws, you need to consider other factors too, in order to formalise your internal gifts & hospitality policy. These include:

- The rules of any regulatory bodies you are subject to (this is especially the case if you are a professional services firm)
- Large organisations may have offices in different jurisdictions, and may work in more than one industry. Such companies should decide whether a unified policy will apply across the organisation, or if there will be variation between offices or departments.
- Aside from any legal or regulatory requirements, you should consider the culture of your company and the industry norms amongst your clients. It is also worth considering things such as the way you will communicate with clients on occasions that you decide to decline gifts they have offered.

3

Choose the questions to include in the gifts & hospitality register

Once you decide on a policy, you need to consider how this will translate into your gift register. What questions will you require staff to answer, in order to demonstrate compliance? Of course, the exact questions will vary, depending on your jurisdiction and industry. But you will likely want to record:

Intent of the gift: if a gift is intended to influence a business decision, that is a strong indicator that it will fall foul of anti-bribery laws.

Value: knowing a gift's value helps management and compliance staff determine whether it is a proportionate gesture, in the context of a particular business relationship.

Date: many gifts or corporate events can be acceptable when seen in isolation, but could be problematic when viewed as part of a pattern. Recording dates helps staff determine the frequency with which a particular counterparty is giving gifts to, or receiving them from, your organisation.

Counterparty's policy: even if a gift complies with your own policy, you may wish to ensure it does not fall foul of the counterparty's policy (if any).

4

Work out how you will deal with receipts**Gifts and hospitality registers are used:**

- when staff are seeking approval prior to giving or receiving gifts
- retrospectively, to record gifts which have already been given

In the latter scenario, it can be hard to undo the damage caused by an employee who has made the wrong decision about offering or accepting a gift. This is why many organisations only permit retrospective recording for senior staff. But the former option also presents compliance challenges. Once a prospective gift is approved, staff can forget to revisit the register, thus failing to retain records (e.g. receipts). This can lead to a gap between the prescribed conduct and the practices taking place on the ground. For example, whilst employees may be authorised to host a client for lunch, this could be with the proviso that they adhere to a strict budget. But if they aren't required to provide a receipt after the event, it is impossible to know if their conduct was in line with expectations. Accordingly, a gift approval process should include reminders for staff to retain receipts, as well as a system for compliance teams to store them.

5**Determine your approval process**

No matter how extensive a gifts & hospitality register is, if it is not being reviewed by the right people, it will not constitute an adequate procedure to prevent bribery.

Some organisations only require approval for gifts above a minimum reporting threshold, or to certain recipients (e.g. government officials).

However, whilst an organisation may not want senior management to be overloaded with information regarding modest gifts, it is important to ensure they are consulted when needed. Some companies may decide that every entry in its gift register will be reviewed by a member of the compliance team, with only more complex submissions receiving a second review from a senior manager.

6**Consider the use of software**

A G&H register should be able to deal with a range of scenarios. For instance, you may ask different questions, depending on whether your organisation is giving or receiving. You may also want to obtain additional information where the situation involves hospitality, rather than physical gifts (e.g. number of guests attending, both from your organisation and the counterparty).

A system with conditional logic can ensure users are not overloaded with irrelevant questions, but instead receive prompts and follow-up questions based on previous answers. For example, if the type of gift is 'hospitality', and no guests from your organisation are attending, a prompt could appear stating that events at which at least one representative of the host is not present appear suspicious and should be avoided.

As well as tackling different situations (giving/receiving, gifts/hospitality, etc.) software systems can also deal with differences in laws. As mentioned above, some companies find comfort in the consistency of a unified policy across all offices. But this can sometimes lead to wasted resources, as staff decide whether to approve gifts based on laws which don't apply in their country. With the use of conditional logic you can make sure staff only receive relevant guidance notes or follow-up questions.

How can VinciWorks help?



VinciWorks' Gifts & Hospitality Register, which operates in Omnitrack, is a complete solution for anti-bribery compliance. It is a powerful yet flexible central database that allows you to record, assess and monitor all gifts and hospitality in one location. The Omnitrack G&H Register is designed to address many of the issues outlined above, and includes:

Conditional logic: Our template adapts to the scenario and jurisdiction involved, to comply with global bribery requirements.

Built-in guidance: Static forms either lack guidance or overload users with irrelevant information. But our best-practice workflow automatically highlights red flags and prompts both users and approvers accordingly, based on the situation at hand.

Reminders: Emails can be generated automatically, to remind staff to provide compliance teams with receipts.

File uploads: Omnitrack doesn't just help you remind staff to retain receipts, but can be used to store them too, creating a full audit trail.

Customisable: Standard gift registers don't suit everyone. But you can adjust our Omnitrack template to suit your needs: add your own questions, include links to your internal policy, or amend the minimum reporting threshold.

You can find out more about our Gifts & Hospitality Register [here](#).

The connection between gift registers and staff training

In addition to our Omnitrack G&H Register, VinciWorks offers a full suite of anti-bribery courses that bring together gamified learning, personalised content, short bursts of information and refresher training. The courses include course builders that make delivering the most relevant content to each employee easy, while real-life scenarios make the training engaging for the user.

Your gift register and anti-bribery training should not be viewed as two distinct processes. They are, rather, two interconnected components in the fight against bribery:

- 1 Even if your processes are perfectly designed, they need to be clearly conveyed to all staff. Accordingly, every employee should receive training in which they gain a clear understanding of your gift & hospitality policy, the existence of your gift & hospitality register, and any relevant anti-bribery laws.
- 2 Staff may require ‘just-in-time’ refreshers, when completing a gift & hospitality register, especially if it has been some time since their last training session. As mentioned above, our gift register includes guidance notes that refresh employees’ knowledge. The register also includes a graphical dashboard. This not only enables managers and compliance staff to review submissions more efficiently, but also helps detect trends which can be used to influence training decisions. You can gather information, for example, on the employees or departments whose gifts are refused most frequently, or on the departments who give or receive the highest number of gifts.



About Omnitrack



Compliance done your way

Omnitrack allows businesses to manage data collection, follow-up, approvals and reporting, all from one centralised portal. With ultimate flexibility and a best-in-class intuitive interface, you have complete control over your workflows.



Integration with your systems

Omnitrack is a modern web-based software built for flexibility and integration into your existing infrastructure. A robust REST-based API facilitates integration with ERP systems, HR systems and any other data-driven software in use.



Step-by-step implementation

Implementation of Omnitrack is guided by the VinciWorks support and implementation team. The team will provide a detailed action plan and will guide you on best practice in designing your workflow, technical implementations and on internal communications strategies.



Security by design

VinciWorks is ISO/IEC 27001 certified with full scope of certification covering all development, hosting and customer support activities worldwide. Omnitrack is security tested by third party experts at least once a year.



Your choice of hosting

Omnitrack is offered as a cloud-based SaaS solution on Amazon Web Services infrastructure, with your choice of data location. Hosting on premises is also available via VMWare images.

About VinciWorks

We are on a mission to reinvent the impact that compliance tools can have. We strive to solve real compliance challenges through training, reporting and tracking solutions that are complete and simple to use. We want to change the status quo – that compliance is a tick-box exercise with no real business value.

We understand that every organisation has different compliance needs based

on their industry, size, risk profile and country. That's why we put an emphasis on relevance in all of our products.

VinciWorks is a leading provider of compliance training and reporting and tracking software and offers hundreds of free compliance resources online. Visit our website or contact us to find out more.

VinciWorks

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