

GIFTS AND HOSPITALITY GUIDANCE

~~This note sets out the Council's guidance on dealing with offers of cash, gifts and hospitality from customers, contractors and those the Council regulates.¹~~

2.1. Why does the Council need guidance on gifts and hospitality?

The purpose of this guidance is to protect officers and the Council as a whole. In local government we need to be very careful to maintain public confidence in our own and the Council's actions. We are subject to public scrutiny and perception.

In addition, the Bribery Act 2010 makes it an offence to request, agree to receive or accept an advantage in return for improperly performing a function of a public nature or activity connected with a business, performed in the course of a person's employment or by or on behalf of a body such as the Council.

If you have any doubts about an offer of any gift or hospitality seek the advice of the Monitoring Officer. You should always record the offer of cash, gifts or hospitality with the Monitoring Officer within 28 days. Gifts and hospitality accepted to a value of £50 or more will be entered in your register of interests.

~~What if I am offered a fee or reward?~~

It is a criminal offence for any member-officer to accept any fee or reward other than his proper remuneration under colour of their office or employment. Any "fee or reward" can include money, gifts, presents, bribes or vouchers. Therefore, never accept cash or vouchers. Even if you have declined the offer always notify the Monitoring Officer that it has been offered.

4.2. Can I accept gifts?

As a general principle, you should not accept gifts in your capacity as a Councillor at the Council. You should politely and tactfully refuse offers of gifts or return them to the giver as soon as possible. If the refusal or return of a gift would cause offence then details of the gift should be recorded with the Monitoring Officer. Gifts to a value of £50 or more will be entered in your register of interests.

As a general rule, you should not accept gifts from:

- a) contractors or potential contractors i.e. persons or businesses who supply or want to supply goods or services to the Council;
- b) those the Council regulates i.e. persons or businesses which it licenses or gives permissions or consents.

Gifts of the following type may be accepted:

- a) modest gifts of a promotional nature, e.g. calendars, pens etc;
- b) a modest gift on the conclusion of a courtesy visit to a business or which are presented at civic or ceremonial occasions;
- c) a modest gift presented to everyone at a conference or seminar.

¹ It is proposed to delete this because the policy relates to any offers, not only those from certain persons.

These exceptions apply only to modest gifts. Expensive gifts should ~~not~~ never be accepted.

Gifts which are intended for the Council as a corporate body or for a particular service area may be ~~accepted~~acceptable², ~~but if~~ not for personal use. Such gifts must be forwarded to the Personal Assistant to the Chief Executive.

4. Can I accept hospitality?

As a general principle hospitality should not be accepted. Hospitality is more likely to be acceptable when it is offered to a group rather than to just one individual. In any case, you should consider:

- a) the person, business or organisation offering the hospitality;
- b) the scale and nature of the hospitality;
- c) the timing of the hospitality in relation to decisions to be made by the Council.

Some examples where it may be appropriate to accept hospitality are:

- a) Working lunches/dinner if :
 - i you and others are working on a project together;
 - ii you and others are partners in community issues eg Health Authority, Police etc.;
 - iii it is necessary for you to be able to carry out your function as a Councillor effectively.
- b) Customary lunches/dinners at conferences or seminars where there are numerous guests;
- c) Civic or ceremonial occasions when representing the Council or accompanying the Chair or the Council's representative.

Some examples where it will not be appropriate to accept hospitality are:

- a) Expensive meals, dances, other entertainments;
- b) Paid or concessionary holidays, travel or accommodation;
- c) Other concessionary rates which are not openly and as a matter of practice available equally to other organisations;
- d) Frequent hospitality from one source.

² This is proposed because not all such gifts would be acceptable; it would depend on the gift.

If you have any questions on any part of this guidance do ask the Monitoring Officer.