

Gifts and Hospitality Guidance

This guidance note supplements and expands upon the rules on gifts and hospitality found in the [Officers' Code of Conduct](#). It is designed to assist employees in applying the rules on gifts and hospitality in the Code of Conduct to their day to day work.

STANDARDS

The Code of Conduct is clear that the following standards are expected of all staff:

- Subject to the exemptions in the Code of Conduct, staff must not accept any gifts, hospitality or any other form of reward whatsoever for performing their duties, other than their proper contractual pay and benefits from the Council;
- Subject to the exemptions in the Code of Conduct, all offers of gifts and hospitality must be reported via the Council's online reporting tool.

The Council's Code of Conduct in relation to gifts and hospitality should be read alongside the [Council's Anti-Fraud, Bribery and Corruption Policy](#). Gifts and hospitality provided in order to induce certain behaviour from staff or the Council could constitute a bribe under the Bribery Act 2010 which is a criminal offence. Following the Council's policy, and this guidance, will reduce an employees, and the Council's, exposure to the risk of actual or perceived bribery or corruption.

GIFTS

It is important for all staff to remain alert to actual and potential conflicts of interest where gifts are offered from third parties that are able to provide goods, services or works to the Council. As a result, save as set out below any offer of a gift should be politely refused.

The Council recognises that there is a need for a proportionate approach and as a result staff are able to accept:

- Gifts of a nominal value of £20 or less;
- Gifts of a value in excess of £20 if your line manager has approved the gift.

Reporting Gifts

All offers of gifts (even if the gift is refused in accordance with this policy), excluding promotional items and items of a nominal value, must be reported via the Council's online reporting tool. Details of how to use the tool are set out at Appendix 1.

Line managers will monitor records of gifts and hospitality and annual reports are submitted to the Council's Chief Legal Officer and Director of Finance.

Gifts Received without Warning

Where gifts are received without prior warning, and are unable to be refused, for example where they are unexpectedly delivered to the Council offices, the gift should be reported via the Council's online reporting tool and your manager should arrange for the gift to be:

- Donated to charity, for example to the Chairman's charity;
- Donated to a Council care home or children's home (this will be more appropriate for gifts of flowers for example).

In all cases the organisation giving the gift should be contacted and advised that it has been donated to charity or a care/children's home as appropriate.

Gifts from Organisations involved in a tender process

Gifts from organisations involved in an active tender process, dispute or negotiation must never be accepted. A tender process is considered 'active' from the point at which the tender documents start to be developed, until the contract is awarded. Staff should be aware that larger organisations may be tendering for work in other parts of the Council. If staff are unsure whether there is an active tender process underway then they should contact Corporate Commissioning, Procurement and Contract Management.

Examples

The following are examples of gifts that may be retained by staff and do not need reporting:

- Pens, notepads, calendar and other items of branded stationary;
- Goodie bags from conferences and courses or samples;
- Coffee, tea or other light refreshments during external meetings, events or travel, where the estimated value is less than £20.

The following are examples of gifts that must be reported and may be retained by staff if their managers approval is obtained:

- Items of sentimental value to the giver or staff member and relatively low value, following the gift givers death or exit from Council care. It is not normally expected that such gifts would be materially more than £20, but this is at managers discretion;
- Any other gift from a Council service user or Member, including flowers, Christmas gifts, thank you presents and other expressions of gratitude;
- Prizes with an estimated value of more than £20 from external competitions entered into as part of staff members work.

The following are examples of gifts that must be reported and politely refused:

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- Gift certificates of any value or cash;
- Loans, discounts or other preferential treatment for staff or family members (other than those provided as part of a Council scheme) of any value;
- Hampers with an estimated value of more than £20.

HOSPITALITY

Hospitality includes things such as drinks, meals, entertainment, overnight accommodation, travel and holidays. Whilst some forms of hospitality can be seen as normal parts of commercial life which will assist the Council in furthering its objectives, it is important that acceptance of hospitality does not, and cannot be seen to, influence staff or the Council's decision making or behaviour.

As a result, when receiving an offer of hospitality staff should ask themselves:

“Can it be clearly and positively seen to be in the interests of the Council to accept this particular hospitality?”

If staff are not certain that they can answer this question in the affirmative then hospitality should not be accepted.

Organisations involved in active tender process

Hospitality from organisations involved in an active tender process, dispute or negotiation must never be accepted. A tender process is considered 'active' from the point at which the tender documents start to be developed, until the contract is awarded. Staff should be aware that larger organisations may be tendering for work in other parts of the Council. If staff are unsure whether there is an active tender process underway then they should contact Corporate Procurement & Contract Management.

Reporting

All hospitality with an estimated value of more than £20, whether or not it is accepted, must be reported via the Council's online reporting tool.

Examples

The following are examples of hospitality that could be accepted and, if the estimated value exceeds £20, must be reported:

- Light refreshments for delegates at a conference or training event;
- A working lunch with external organisations. A useful test for these would often be whether the Council would provide refreshments if the venue was reversed;
- Attendance at official events where the Council's presence would be expected, such as opening ceremonies, jubilee or other celebrations

The following are examples of hospitality that must be reported and politely refused:

MANDATORY GUIDANCE – MUST BE FOLLOWED BY ALL STAFF

- Provision of a holiday or weekend hospitality;
- Theatre or other sporting or entertainment event tickets;
- Any hospitality involving staff's families;
- Lunch with an organisation to discuss an ongoing tender

Staff who are unsure whether a gift or hospitality can be accepted should speak to their managers in the first instance or to the Monitoring Officer.

Appendix 1: Reporting Interests Gifts & Hospitality

Where an officer has an interest or receives a gift or hospitality which may need to be reported in accordance with the Code of Conduct they should discuss this with their manager.

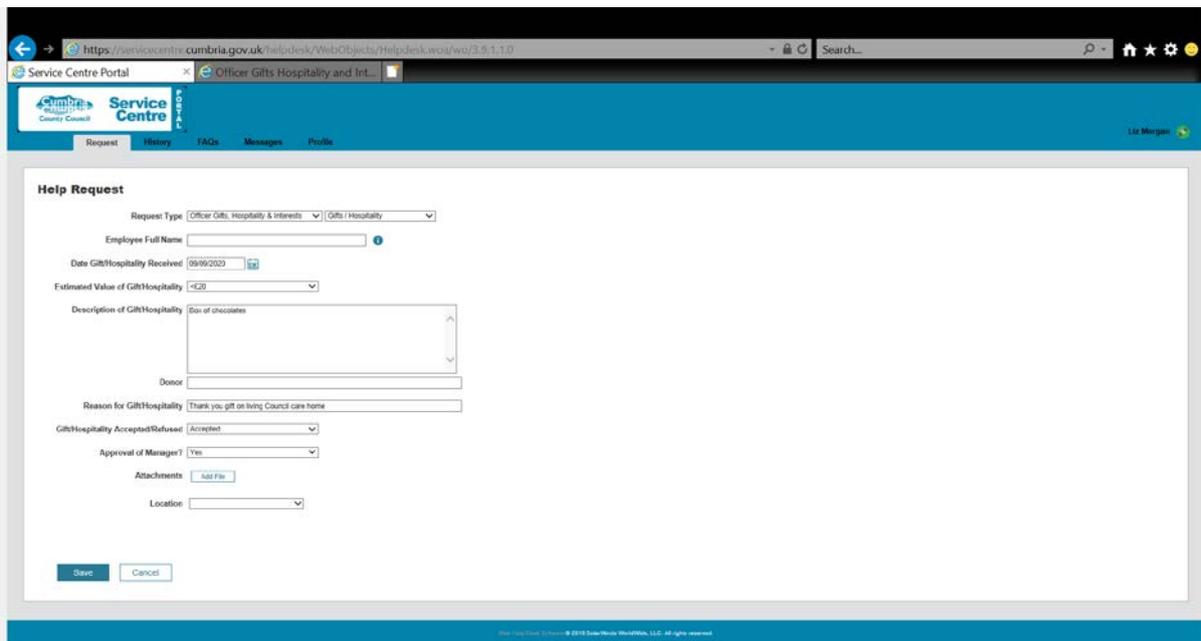
Where the matter requires reporting the manager should complete the relevant form on the Service Centre Portal.

Gifts and Hospitality reporting can be reached by clicking [here](#), or by navigating to the Service Centre Portal and:

- Selecting the 'Request' option
- Then selecting 'Recruitment, HR and Payroll'
- Next select 'Officer Gifts, Hospitality and Interests'
- And finally 'Gifts/Hospitality'

The relevant sections should then be completed and the form submitted.

Example



The screenshot shows a web browser window displaying the Service Centre Portal. The page title is 'Help Request'. The form contains the following fields:

- Request Type: Officer Gifts, Hospitality & Interests (selected) / Gifts / Hospitality (dropdown)
- Employee Full Name: [Text input field]
- Date Gift/Hospitality Received: 09/09/2020 (calendar icon)
- Estimated Value of Gift/Hospitality: £20 (dropdown)
- Description of Gift/Hospitality: Box of chocolates (text area)
- Donor: [Text input field]
- Reason for Gift/Hospitality: Thank you gift on living Council care home (text area)
- Gift/Hospitality Accepted/Refused: Accepted (dropdown)
- Approval of Manager?: Yes (dropdown)
- Attachments: Add File (button)
- Location: [Dropdown menu]

At the bottom of the form are 'Save' and 'Cancel' buttons. The footer of the page reads: 'Web Help Desk Software © 2018 EnterMedia, West/Win, LLC. All rights reserved.'