



POLICY AND PROCEDURE FOR EMPLOYEES

ON

**GIFTS, HOSPITALITY AND OTHER
BENEFITS**

FOREWORD

This Policy and Procedure is to help staff to deal properly with third parties who offer gifts, hospitality and other benefits to Authority staff. It also sets out the approach to be taken when the Authority is offering hospitality. Public perception of preferential treatment and possible obligations is as important as improper influence and improper actions. The Authority's approach should therefore help the public to be confident about what we do and should help to protect staff from unjustified allegations of wrongdoing.

This policy and procedure sets out clear guidance on how staff should act when offered a gift, hospitality or other benefit, when offering hospitality and also what they need to do in order to comply with the Authority's declaration and authorisation requirements. However, if you require any further guidance on how to proceed you should contact the General Manager.

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Clerk to the Authority

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Table of Contents

- 1. General Approach 1
- 2. Exclusions from Acceptance and Declaration Rules 1
- 3. Offers from Contractors, Developers and in Other Commercial Situations 2
- 4. Offers in Non-commercial Situations 2
- 5. Offers from Satisfied Customers 3
- 6. Gifts from Same Source 3
- 7. How to make a Declaration and Request Approval 4
- 8. Approval 4
- 9. Registration and Review 4
- 10. Provision of Authority Hospitality 5
- 11. The General Manager 5

1. General Approach

- 1.1 Staff must treat with extreme caution any gift, hospitality or other benefit offered by people or organisations who are doing, or may be seeking to do, business with the Authority. Staff must avoid any possible obligation to an individual or to an external organisation that might, or could be perceived as, improperly influencing them in the performance of their Authority duties.
- 1.2 The terms hospitality or other benefit include any food, drink, accommodation or entertainment provided freely or discounted. Hospitality or other benefit does not have to be completely free to be covered by the Authority's rules outlined below.
- 1.3 The Authority's general approach encourages staff to express their gratitude for such offers by politely stating that the Authority rules do not permit acceptance. There may, however, be some occasions when it would be churlish to refuse an offer where this could cause offence.
- 1.4 This Policy and Procedure sets out the specific rules for accepting or declining such offers and the rules are based on the following principles. In particular, staff should be clear that the underlying criteria for acceptance requires that the gift, hospitality or other benefit must be:
 - in connection with official duties; and
 - of a modest level; and
 - justified in the public interest (e.g. by providing some benefit to the Authority, or by a member of staff representing the Authority in the community); and
 - given and received openly; and
 - able to stand any subsequent public scrutiny.
- 1.5 Staff should also be clear that they may be called to account for the decision to accept the gift, etc. Alleged breaches of the rules for dealing with gifts, hospitality and other benefits, including declarations, are matters that will be investigated as a possible disciplinary offence.

2. Exclusions from Acceptance and Declaration Rules

- 2.1 The following items may be accepted without prior authorisation and do not need to be declared:

- Refreshments and working meals of a modest nature that are provided as an integral part of a business meeting at the business location.
- Refreshments, meals or hospitality received as part of authorised attendance at an approved training event or conference.

3. Offers from Contractors, Developers and in Other Commercial Situations

- 3.1 Some staff have contact with contractors, developers, organisations and individuals who have, or may in the future have, a commercial relationship with the Authority. This area requires extreme vigilance.
- 3.2 Apart from the exclusions noted in the preceding section, you must politely refuse any gift, hospitality or other benefit offered in these circumstances and reference to the Authority's general approach should help to de-personalise the refusal.
- 3.3 Meetings with contractors, developers and others who have, or may have, a commercial relationship with the Authority must only take place at business or meeting-orientated locations.
- 3.4 Gifts of diaries, calendars, pens and other promotional items bearing the name of a contractor may seem innocuous but are designed to promote their business interests above those of others. By displaying them you could lead competitors or indeed the public to question your objectivity. Such items are to be returned or reused, or recycled. You must declare all offers of promotional items valued at £5 and above.

4. Offers in Non-commercial Situations

- 4.1 A small number of staff as part of their official duties may have contact with non-profit making organisations or may host foreign delegations visiting the Authority's facilities. If the organisations or delegation members have, or may in the future have, a commercial relationship with the Authority, these contacts should be treated as in the preceding section. If on the other hand the Authority is most unlikely to develop a commercial relationship with such organisations, tokens of appreciation may be accepted but must be declared and submitted for approval if their value is £25 or above. Modest tokens may

be retained personally but other items should be retained/displayed/used by the Authority. The acceptance of hospitality, in particular, must be based upon the principle that it would withstand public scrutiny e.g. by providing useful working benefits to the Authority or by enhancing the Authority's reputation through an employee representing the Authority in the local community or further afield.

5. Offers from Satisfied Customers

5.1 Such offers include those from customers who wish to offer a token of appreciation to a member of staff who has given particularly good service. Polite refusal should always be the first response and reference to the Authority's general approach should help to de-personalise the refusal. If more than a few such offers are made each year in any service, consideration should be given to promoting positively an alternative method for customers to express appreciation (e.g. a commendation register). If it is clear that refusal has caused offence then you may either:

- accept and personally retain a gift of less than £5 in value without the need for declaration and approval; or
- accept a gift of £5 or more in value but only on behalf of a constituent borough's Mayor's Charity or other similar source within the Authority that more closely matches the intentions of the donor (e.g. a local reuse or environmental charity). Otherwise the gift must be declined or sent back with a polite explanation of why it cannot be accepted. You must, however, declare the offer of a gift of £5 or more, whether accepted or rejected, and also obtain prior approval to the proposed onward donation.

5.2 Any member of staff who learns that they are to receive or have been left a bequest in their capacity as a member of staff should inform the General Manager immediately they become aware of this.

6. Gifts from Same Source

6.1 Whilst this policy and procedure permits staff to accept gifts under £5 in value in non-commercial situations (sections 4 and 5), occasions may arise where gifts of this value are offered from the same source and, when taken together

over a period of 12 months, their value exceeds the £5 threshold. When this arises, the declaration rules will apply.

7. How to make a Declaration and Request Approval

- 7.1 If you are offered a gift, hospitality or other benefit, whether accepted or not, you must complete the official declaration form, unless the offer is specifically exempt from declaration under this Policy and Procedure. The declaration and request for approval should always be made in advance of the proposed action unless no prior notice has been given of the offer.
- 7.2 The official declaration form is available from the Executive Officer
- 7.3 You must complete the declaration section (including deletions where appropriate) giving precise information against each of the headings in order to explain fully the circumstances and nature of the offer and the action taken or proposed.
- 7.4 You should e-mail, or otherwise pass, your completed declaration to the Executive Officer.

8. Approval

- 8.1 The General Manager will review the declaration form for completeness and for compliance with the provisions of this Policy and Procedure. The General Manager may either give his/her approval or may withhold approval and specify on the declaration form the further action required. The General Manager will either forward the original e-mail or pass the completed hard-copy form to the Executive Officer and copy it to the officer making the declaration.

9. Registration and Review

- 9.1 The Executive Officer will sequentially number each completed form received from the General Manager and will securely maintain them in a register, bringing any controversial entries dealt with by the General Manager to the

attention of the Clerk to the Authority. The General Manager will carry out a periodical review (at least annually and more frequently if justified by the number of entries) to ensure appropriate and consistent treatment of gifts and hospitality. The register will be subject to audit.

10. Provision of Authority Hospitality

10.1 Refreshments and working meals of a modest nature may be provided as an integral part of a business meeting on Authority premises and are exempt from declaration.

10.2 Any other hospitality may only be provided from the Authority's budget in exceptional circumstances where it will protect or promote the best interests of the Authority.

10.3 Approved hospitality provided by the Authority for visitors or for special events sometimes involves Authority Members. Under all normal circumstances Members should register that hospitality with their constituent council in accordance with their constituent councils Code of Conduct for Members.

11. The General Manager

11.1 The General Manager will seek approval from the Clerk to the Authority and in his absence, the Treasurer of the Authority for any gift or hospitality relating to them personally.