

**HUMAN RESOURCES MANUAL
PERFORMANCE/STANDARDS**

ANNEX 1

**4 GIFTS AND HOSPITALITY
GUIDANCE NOTES FOR EMPLOYEES**

Introduction

- 1 This document sets out guidelines on the acceptance of gifts and hospitality by employees. Its objective is to provide clear guidance as to what is acceptable conduct in order to protect the interests of both the Council and its employees.
- 2 The guiding principle of the policy is that:

“The public is entitled to demand of a local government officer conduct of the highest standard and public confidence and his or her integrity would be shaken were the least suspicion to arise that s/he could in any way be influenced by improper motives”.
- 3 The acceptance of gifts and hospitality can inevitably lead to suspicion of improper motives or even bribery and corruption. Even where a gift or hospitality is offered or accepted innocently an employee may place the Council and him or herself in an embarrassing position if:
 - an allegation of improper conduct is later made
 - an employee is unconsciously influenced by the gift or hospitality in carrying out their official duties
 - a precedent is set which is abused by an unscrupulous person.
- 4 It should be realised that if an allegation of improper conduct were to lead to criminal proceedings, the Prevention of Corruption Act 1916 assumes that a gift is given corruptly unless proved to the contrary.
- 5 It is therefore essential that staff act with a high level of caution in the acceptance of any kind of gift or hospitality. Staff should consider whether acceptance would be consistent with these guidelines and whether the decision would be defensible if it were made public. Staff should be alert to the possibility that seemingly innocent approaches may be made to them both in their official capacity or as private individuals with the ultimate aim of influencing the outcome of an official decision (eg planning application, grant award, contract award). In essence employees should not accept any gifts or hospitality which they cannot wholly justify, and where any doubt remains they should consult with their Chief Officer.

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- 6 Staff should also be particularly careful about making use of services or goods from firms who are actively engaged in business with the Council. This is particularly relevant where the goods or services are substantial in value or where the provider normally deals with a commercial market rather than a domestic one.
- 7 Under no circumstances must an employee solicit gifts or hospitality of any kind or allow the receipt of any gift to influence them in the conduct of their duties.

Gifts

- 8 The term gift includes not only money or goods but also services offered to an officer privately at a preferential price because of the employee's official position as a Council employee. In general gifts should not be accepted, however there are a number of exceptional circumstances where gifts may be accepted. If there is any doubt an employee should obtain the approval of his or her Chief Officer before accepting a gift.
- 9 Official gifts from visiting dignitaries or for example representatives from other cities may be accepted on behalf of the Council.
- 10 Token gifts of no great value (e.g. a cake) may be accepted from members of the public where it would cause hurt or ill feeling to refuse. For example if an elderly customer offers a gift as a means of thanking an employee for their help.
- 11 Promotional materials from suppliers may be accepted if they are of minimal value, for example: calendars, diaries and pens. If received such items should be distributed around the office in an equitable manner.
- 12 On occasion gifts of greater value (such as alcohol) are received in circumstances where they cannot be refused, for example in the post. Such gifts should normally be allocated to staff on an equitable basis such as a draw or raffle. However if a person or firm is repeatedly sending gifts of more than token value the relevant manager should write to the giver asking them to cease.
13. Each department will maintain a register recording any gifts received of more than token value. The register will contain the following information:
 - Date of entry into the register
 - The name and address of the person/company making the gift

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- The name and position of the person receiving the gift
- The nature and estimated value of the gift and date received
- The action taken to deal with the gift

The register will be reviewed annually by the Department's Chief Officer.

- 14 If an employee is offered money or a gift that is substantial in nature or a gift is offered under circumstances where there is a suspicion that the giver is seeking to influence an officer in the performance of their duties, the gift must be politely but firmly refused and the matter reported at once to the relevant manager and to Internal Audit who will advise on the appropriate course of action.

Hospitality

- 15 Hospitality may be defined as meals, drinks or attendance at social events offered by suppliers or potential suppliers of goods and services or by other interested parties. As with gifts, the acceptance of hospitality must be considered carefully to avoid the possibility of allegations of improper conduct.
- 16 Hospitality should only be accepted where it is in the interests of the Council for an employee to attend the event or entertainment. Hospitality that is excessive given the circumstances or occasion should not be accepted.
- 17 Attendance at hospitality events must be authorised wherever possible by the relevant Chief Officer or an employee to whom this responsibility has been delegated. Acceptable forms of hospitality are:
- attendance at dinners, receptions and ceremonies where an employee is representing the Council;
 - working lunches in sectors where this is a normal and acceptable way of holding business discussions. A free lunch offered as part of a travelling salesman's "pitch" is unlikely to be acceptable;
 - refreshment offered at a site visit, conference or demonstration;
 - other events where, in the view of the authorising officer, attendance will be of benefit to the Council and it is apparent that no reasonable cause of criticism could arise.
- 18 Each department will keep a register, similar to that for gifts, of hospitality received containing the date, location, persons involved, reasons and the

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signature of the authorising officer. This register will be reviewed annually by the Department's Chief Officer.

- 19 An employee attending a hospitality event must bear in mind that they are an official representative of the Council and should not engage in any conduct likely to bring the Council into disrepute (e.g. drunkenness).

Disciplinary Action

- 20 An employee found to be acting in contravention of these guidelines may be subject to disciplinary action. If there are grounds for suspicion that an employee has solicited gifts or has allowed the receipt of gifts to influence them in their official duties an investigation will be mounted which may result in criminal proceedings.

Policy and Procedures agreed at Finance Review Sub-Committee November 1997.

If you would like advice or further guidance please contact the Internal Audit Manager.



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Department: _____

Register of Receipt of Gift(s) and Hospitality

Date of entry	Recipient Name/Position	Donor (Person/Company) Name/Address	Nature and Value of Gift(s)/Hospitality and date received	Action taken to deal with the Gift(s)/Hospitality Authorised by

Reviewed by(Chief Officer)
 Date.....



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Reviewed by.....(Chief Officer)

Date.....