



POLICY ON
HOSPITALITY AND GIFTS

January 2004

HOSPITALITY AND GIFTS

Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the Council in the community. Offers to attend purely social or sporting functions should be accepted only when they are part of the life of the community or where the Council should be seen to be represented. They must be properly authorised and recorded in accordance with the Council's agreed procedure.

When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the authority.

Employees should not accept significant personal gifts from contractors, members of the public and outside suppliers, although the Council may wish to allow employees to keep items of token value such as pens, diaries etc.

When considering whether or not to accept authorised hospitality employees should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality, for instance during a tendering period of a contract for which the provider may be bidding.

Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where:

- it is clear that the hospitality is corporate rather than personal;
- where the Council consents in advance;

or

- where the Council is satisfied that any procurement decisions are not compromised.

Where a visit is necessary, to inspect equipment for example, the Council should consider meeting the cost of the visit to avoid jeopardising the integrity of the Council in subsequent procurement decisions.

SPONSORSHIP - GIVING AND RECEIVING

Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Where the Council wishes to sponsor an event or service neither an employee nor any friends, partners or persons where a family relationship is deemed to exist (see Appendix 1 for a definition of 'family relationship') must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interest.

Similarly, where the Council through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

EMPLOYEE/S OR MEMBER/S OF STAFF

The terms employee/s or member/s of staff should be taken to mean any individual/s employed by the Council including those working both full time and part time on a permanent, temporary or fixed term basis. The policy also applies to seasonal and casual staff while they are engaged in carrying out duties for the Council.

HOSPITALITY AND GIFTS

The Department of the Environment's current guidance on the 'Acceptance of Gifts and Hospitality' dated October 1995 may be used as a source document in the context of this policy.

The document sets out the background as follows:

"2. *The basic requirements are contained in paragraphs 944-949 of the NICS Pay and Conditions of Service Code and indicate that Civil Servants should conduct themselves with honesty and impartiality in the exercise of their duties and, as a consequence, that they should not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgement or integrity. More specifically, under the respective provisions of the Prevention of Corruption Acts 1906 and 1916:*

- (a) *it is an offence for a Civil Servant corruptly to accept any gift or consideration as an inducement or reward for doing (or refraining from doing) anything in his or her official capacity, or showing favour (or disfavour) to anyone in his or her official capacity; and*
- (b) *the Courts will assume that any money, gift or consideration which a Civil Servant receives from a person or organisation which has obtained (or is trying to obtain) a Government contract has been received corruptly unless the officer proves otherwise.*

If any offer, gift or irregular suggestion is made to an officer either in connection with a contract or with the object of obtaining preferential treatment the facts must be reported immediately to the Head of Division at Grade 6 or 5 level."

The document also includes guidance notes on 'Offers of Hospitality' in terms of the need for prior approval to accept, and the action required to record in a Hospitality Register, such offers of hospitality.

FAMILY RELATIONSHIP

For the purposes of this policy a relevant family relationship shall be deemed to exist between an employee and a potential sponsor if they husband or wife, or living together as husband or wife, or if the applicant, or the husband or wife or cohabite of the applicant is the:-

- (i) Parent
- (ii) Grandparent
- (iii) Grandson/Granddaughter
- (iv) Son/Daughter
- (v) Brother/Sister
- (vi) First Cousin
- (vii) Uncle/Aunt
- (viii) Nephew or Niece or
- (ix) All equivalent step relationships

of the employee or the husband or wife or cohabite of the employee.