

PROTOCOL FOR STAFF ON GIFTS, HOSPITALITY, BEQUESTS AND SPONSORSHIP

The public has the right to expect the highest standard of conduct from all Council staff and any departure from this standard would always be regarded as a serious disciplinary matter. One area where it is accepted that guidance is required to staff to ensure that their conduct meets public expectation is in relation to the receipt of gifts and hospitality.

Employees should not therefore accept gifts, hospitality, bequests or sponsorship whilst they are carrying out their role as an officer in a personal capacity. However, it is understood that in certain circumstances it may cause offence e.g. where the gifts are small tokens of thanks from appreciative members of the public.

Employees should always ask themselves the question “What impression would the public gain if this matter was reported to the press.

This protocol does not apply to:

- Gifts and hospitality you may receive from family and friends (eg. as birthday or Christmas presents) that are not related to your position as an officer of the Council.
- The acceptance of facilities or hospitality provided by the Council.
- Gifts given to the Council that you accept formally on the Council's behalf and are retained by the Council and not by you personally.
- Gifts or hospitality that you receive through employment/roles that you have outside of the Council. However, in these circumstances if the receipt of gifts and/or hospitality could be seen to conflict with your role as a Sedgemoor Employee, you should discuss this first with your Group Manager and agree an appropriate course of action which may include registering that gift or hospitality or in some circumstances, declining it.

1. Meaning of Gifts and Hospitality

The expressions ‘gifts’ and ‘hospitality’ have wide meanings and no conclusive definition is possible. Gifts and hospitality include:

- The free gift of any goods or services.
- The opportunity to acquire any goods or services at a discount or at terms not available to the general public.
- The opportunity to obtain goods or services not available to the general public.
- The offer of food, drink, accommodation or entertainment or the opportunity to attend any cultural or sporting event.

Common gifts include pens, diaries, calendars and other business stationery, articles of clothing, books, flowers and bouquets. You should however be cautious when purchasing anything, when additional services, privileges or advantages are offered, which might be related to your position as an officer.

2. Decision to accept a gift or hospitality

You must obtain the consent of your Group Manager (or authorised deputy) before accepting a gift or hospitality. It is accepted that in limited circumstances it may not be possible to obtain this consent in advance. If so, you should notify your Group Manager within 48 hours and be able to justify why prior consent was not obtained. The gift or hospitality should then be registered. If you are in any doubt the gift or hospitality must be declined.

3. Gifts which may be accepted

You may accept a gift if it is under £10 in value and

- no ulterior motive is apparent and
- there is no danger of misinterpretation by the public (e.g. because the gift comes from someone tendering for work or who is conducting business with the Council) and
- such gifts have not become a frequent occurrence from the same source

This includes small tokens of thanks from appreciative members of the public and promotional items such as pens, diaries, calendars, etc., that are routinely sent out by the various companies and organisations with which the council does business. If a gift over the value of £10 is offered it should not be accepted unless refusal would cause offence, in which case the gift must be donated to the Chairman's raffle, Souvenirs from other public bodies intended as personal gifts arising from civic events or town twinning may also be accepted. However, these should also be treated as civic gifts for the organisation and donated to the Chairman's raffle.

4. Gifts which must not be accepted

- Gifts over £10 in value, subject to the exception above
- Gifts of cash
- Gifts from a person with whom the council may contract or is in contract negotiations
- Gifts from any person whose business the council may regulate e.g. through planning control or licensing control
- Gifts from a person where you may be required to formulate recommendations to the council, or you could influence the recommendations of others
- Gifts where you are monitoring the service provided by the person on behalf of the council

5. Hospitality

Hospitality cannot be accepted if it is offered to you in your role as an officer, in your personal capacity whilst you are carrying out your role as an officer. It may be accepted if you are receiving hospitality on behalf of the council and you have the prior approval of your Group Manager. In all cases you should consider the impression that the acceptance of the hospitality will make in the minds of the public. In particular: -

- Is the hospitality offered in proportion or might there be a hidden motive?
- Has it been offered only to you or to others as well?
- Are they conducting business with the Council?
- Does or might the person offering it contract with the council or are they in contract negotiations?
- Is the hospitality offered by a person whose business the council may regulate e.g. through planning control or licensing control?
- Is the hospitality from a person where you may be required to formulate recommendations to the council, or you could influence the recommendations of others?
- Is the hospitality offered from someone where you are monitoring the service provided by the person on behalf of the council?
- If you have any doubt then you should decline the hospitality.

In most circumstances the only hospitality that should be accepted is:

- Normal and modest refreshment in connection with any meeting in the course of your work as an officer (e.g. tea, coffee and biscuits).

- Drinks sandwiches or other modest refreshment arising in the normal course of Council business or provided as a matter of courtesy in the office or meeting place of a person with whom the Council has a business connection.

6. Bequests

You must actively discourage any bequest or donation being made to you and decline any of which you become aware. If you become aware that such a bequest or donation has been made, or may be made, you must tell the Monitoring Officer as soon as possible. Wherever possible, the bequest or donation will be declined or returned to the estate of the person who made the bequest. If this is not possible, the bequest or donation will be given to the Chairman's charity.

7. Sponsorship and financial support

Any offer of sponsorship or financial support to a member of staff will be treated in the same manner as a gift and should be declined unless approved by your Group Manager and may in any event only be for charitable purposes. Where the council makes a financial contribution to an event or community group where you, or your relative, may obtain a benefit which is more than that which is generally received by other members of the public, you should declare an interest and take no further part in the development of the event.

8. All gifts and hospitality offered must be registered

Whether a gift or hospitality is **accepted** or **declined**, and whether it is over or under £10 in value, it is your personal responsibility to register it, the source of the gift or hospitality and the reason for it. You must do so within seven days of receiving or declining it. The form is available on the intranet or from the Monitoring Officer. If the gift or hospitality is accepted as part of the registration your Group Manager (or their authorised deputy) will be required to confirm that:-

- they approve of the acceptance of the gift or hospitality and
- the reason for accepting/declining

9. Effect of registering a gift or hospitality

You automatically have a **personal interest** in a matter under consideration by the council if it is likely to affect a person who gave you a gift. If that is the case, you must, at the earliest opportunity, declare the existence and nature of the gift or hospitality, the person who gave it to you, how the business under consideration relates to that person and then take no further involvement in the council's consideration of the matter.

10. Annual report on compliance and review of policy

The Monitoring Officer will report annually to the Standards Committee on compliance with this protocol. The Standards Committee will review compliance with the policy annually and make recommendations to the council arising from its implementation.
Monitoring Officer.

Policy History

| Version No | Review Date | Reason for Change |
|-------------------|--------------------|--|
| 2 | May 2018 | Annual review by Standards Committee as part of work programme. No amendments required. |