

Procedure for Council Employees to deal with offers of gifts and hospitality

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Governance Committee		Date approved	
Review date			

Strategic Alignment
Improving the Council’s Resource Base – A Workforce Strategy that is built around the needs of the Council (as a single resource base) to deliver the priority outcomes, ensuring future workforce requirements, new skills and innovative approaches, and succession planning are recognised.

Consultation process		
Stakeholders	Contacts identified for each service	
	<i>Joint Trade Unions</i>	
Distribution		

Change record

Date	<i>28/02/2019</i>	Author	<i>Employee Relations Team, EmployeeRelationsTeam@northlan.gov.uk</i>
Change made	<i>New format</i>		

Procedures for Council Employees to Deal with Offers of Gifts and Hospitality

Introduction

1. The Council expects all staff to display high standards of integrity in their relationships with third parties.
2. Gifts, hospitality or other benefits offered to Council staff or their families by a third party could, or could be seen to, compromise their personal judgement or integrity and might appear to place the member of staff under an obligation. This is particularly the case where the gesture or offer could be interpreted as being made in an attempt to influence decision-making.
3. It is not possible to be prescriptive and define every eventuality where Council staff should not accept gifts and/or hospitality, but Council staff should remember the need to be seen to display the core public sector principles of selflessness, integrity, objectivity and honesty at all times.
4. If a staff member is unsure as to whether or not it is appropriate to accept a gift and/or hospitality, even after consulting this procedure, then, ultimately, the best advice is "If in doubt, decline".

Gifts and Hospitality

5. Employees must never ask any third party for remuneration, gifts or hospitality in relation to their Council duties. Employees may, from time to time, be asked to undertake engagements in relation to their Council duties. This will often be beneficial for both the employee and the Council. However, if any fee or other reward is involved, arrangements should be made for this to be paid by the Council.
6. All employees are personally responsible for all decisions connected with the acceptance of gifts or hospitality offered and for avoiding the risk of damage to public confidence in the Council. As a general guide, it is usually appropriate to refuse offers except:
 - a) isolated small gifts of a trivial character or inexpensive seasonal gifts such as a calendar or diary or other simple items of office equipment or other items of modest value;

- b) normal hospitality associated with your duties and which would reasonably be regarded as appropriate (e.g. lunch, or other reasonable hospitality, taken by Council staff, after, during, or as a result of a business related event or meeting)
7. Employees should not accept any offer by way of gift or hospitality which could give rise to a reasonable suspicion of influence on the employee's part to show favour or disadvantage to any individual or organisation.
 8. Employees should also consider whether there may be any reasonable perception that any gift received by an employee's spouse or co-habitee or family member or by any company in which an employee has a significant financial interest could give rise to a perception that it would influence decision-making.
 9. The term 'gift' includes benefits such as relief from indebtedness, loan concessions or the provision of goods or services at a cost below that generally charged to members of the public.
 10. Employees must not accept any offers of gifts or hospitality from any individual or organisation who is an applicant awaiting a decision from the Council or who is seeking to do business or to continue to do business with the Council. If an employee is making a visit to inspect equipment, vehicles, land or property, then as a general rule employees should ensure that the Council pays for the cost of these visits.
 11. Employees should only accept offers to attend social or sporting events where these are clearly part of the life of the community or where the Council or Department would expect to be formally represented.
 12. Employees must not accept offers of repeated hospitality from the same source.
 13. If it is the practice of the Council to seek sponsorship for some of its activities or events, employees should ensure that their involvement with the sponsors is limited to the event in question and does not damage public confidence in the relationship between the Council and the sponsors.

14. Gifts which are offered and/or received at Council offices for general distribution amongst a number of employees (e.g. cases/bottles of wine and or spirits at Christmas) should, where possible, be discouraged and/or returned. Where these have been received and it is not practical to arrange return, the disposal of such gifts, including their recommended donation for charitable purposes, should be determined in consultation with the relevant Assistant Chief Executive. In such cases consideration should be given to whether the organisation or individual providing the gift should be informed in writing of what has happened to the items and relevant details recorded in the register of Gifts and Hospitality.

Register of Gifts and Hospitality

15. Each employee must record with his or her Assistant Chief Executive details of any gift or hospitality which he or she receives, with the exception of those referred to at paragraph 6 above. Assistant Chief Executives are required to ensure that employees in their department are aware of these requirements. A register of the offer and/ or receipt of such gifts or hospitality will be available for scrutiny as part of the Council's normal audit process. Assistant Chief Executives require to ensure the register is kept up-to-date and that it is objectively and regularly reviewed.

Status of guidance

16. This document constitutes guidelines as to behaviour and conduct by Council employees. While it will be open to an employee in a particular situation to argue that the Procedures for Council Employees to Deal with Offers of Gifts and Hospitality were not applicable, this will only be considered acceptable in exceptional circumstances

17. As a general rule, this document should be taken to be read as a compliance requirement on the part of employees. Failure to comply may constitute grounds for instigating disciplinary procedures.

Appendix 1

North Lanarkshire Council - Register of Gifts and Hospitality

Notification of Gifts and Hospitality Form – to be completed by employees and submitted to Executive Director

Council officer accepting hospitality offered/ gifts and/or	Name/Job title	
Nature of gift and/or hospitality <ul style="list-style-type: none"> • please provide a full description of the gift/hospitality offered or received. • please include the name of the company, organisation, body or individual responsible for offering or making the gift or providing hospitality. • Please give a brief account of the circumstances and confirmation of whether or not the offer was declined, rejected, accepted or received. • In the specific case of acceptance please confirm what you propose to do with the gift and whether or not it would be appropriate to inform the donor. 		
Signature of staff member notifying offer or receipt	Date	Signature
Entry in Departmental register on behalf of Executive Director	Date	Signature

Appendix 2

Service Register of Gifts and Hospitality - (Name of Service)

No	Officer	Name of the company, organisation, body or individual making offer	Description of gift / Hospitality Offered	Outline of the circumstances	Confirmation of whether or not the offer was declined or received	If gift received, was it Returned, Accepted Distributed or Otherwise dealt with	Was the donor informed what was to be done with the gift and by what means.
1							
2							
3							
4							
5							
6							
7							
8							

As outlined in Section 15, this register of the offer and/ or receipt of such gifts or hospitality will be available for scrutiny as part of the Council's normal audit process.

Under normal Service procedures, Assistant Chief Executives require to ensure the register is kept up-to-date and that it is objectively reviewed with a regularity considered appropriate.