

## **Woughton Community Council - Declaration of Gifts and Hospitality Policy**

Accepting gifts, benefits and hospitality as a civil servant may be seen to compromise personal judgement or integrity. As such, it is essential that due consideration is given prior to accepting anything that may be construed in this way. Whilst this policy doesn't preclude acceptance of such items, it does provide a framework from which to base any acceptance or declination of such.

The overarching principle of this policy is that officers and members of Woughton Community Council should uphold the highest possible standards of public service. Dealing with offers of gifts, benefits or hospitality is largely a matter of common sense, if in any doubt a polite but firm refusal is the recommended approach.

The Civil Service Code states that Civil Servants (of which we can be accepted as being, whether we are officers or members of Woughton Community Council) must not accept gifts or hospitality or receive other benefits from anyone which might reasonably be seen to compromise their personal judgement or integrity.

Whilst our influence is limited, we do have an essential and valuable role to play with regard to potentially contentious issues, such as planning, budget setting and commissioning of services using taxpayers money. Many groups and individuals may have an interest in the outcomes of these decisions and therefore we are required to behave, and be seen to have behaved, with all interested parties in a fair, impartial, professional and open manner. This approach will have a strong bearing on how to deal with offers of gifts, benefits and hospitality.

Offers of gifts, benefits and hospitality are seen by many outside organisations and individuals as normal business practice, perhaps to promote useful contacts and working relationships. Such contacts and relationships may also further the interests of the council and the taxpayer, but they can place you in a very difficult position:

- to refuse may cause misunderstanding or offence to the donor (especially if the offer comes from a foreign government or organisation)
- to accept could involve criminal liability or otherwise give rise to questions of impropriety or suspicion of conflict of interest.

The overriding rules governing the acceptance of gifts, benefits and hospitality are that:

- your conduct in a private capacity must not foster the suspicion of any conflict between your official duty and private interests
- your conduct whilst acting in an official capacity must not give the impression - to any member of the public, to any organisation with whom you deal or to your colleagues - that you have been (or may have been) influenced by a gift or consideration to show favour or disfavour to any person or organisation

- you must not accept any gifts, benefits or hospitality - either directly or through a third party (i.e. a family member or friend) that would, or might appear to:
  - a. place you under any obligation to an individual or organisation making the offer
  - b. compromise your impartiality or otherwise be improper.
- any gifts, benefits or hospitality must be refused if either you or the Inspectorate are in any doubt about the propriety of accepting them.

The procedures contained in this policy cannot cover every situation that might arise and where it does not, you must seek and follow the advice of your Line Manager, Council Manager or Operations Manager.

The Council Members are the final arbiter on the advisability of acceptance or refusal of gifts, hospitality, etc, via the P+R Committee.

### **Gifts Offered To Employees**

Difficulties can arise with casual gifts, particularly at Christmas time when commercial custom and practice may lead to gifts being sent to customers including Crown employees working in the Inspectorate.

Gifts other than low-value items such as diaries or calendars must be politely but firmly refused at the time they are offered. Calendars, diaries or other small items of office equipment of modest value may be accepted, but only if they bear the company's name or insignia and can legitimately be regarded as being in the nature of advertising material.

Any other gifts (including bottles of wine or spirits) must be politely but firmly refused or, if received in the office, returned to the donor with a polite covering letter explaining the Council's rules and policy (the letter must be copied to the Council Manager and listed for P+R oversight). It must be clear to the donor and to anyone else that no individual has gained personal advantage from the gift.

The only exception to the rules above is where refusal would cause offence to the donor or misunderstanding. In such circumstances you may accept the gift (reporting to Council Manager). The donor must be advised that the gift has been accepted on behalf of the Council and that it may be put on display in the office. Where a gift is perishable or consumable, and hence unsuitable for permanent display, it may be used within the Council, at the discretion of the Council Manager (whose decision must be recorded in writing and copied to P+R Committee).

If you are in any doubt about whether or not to accept a gift in accordance with the preceding paragraphs, you must consult the Council Manager or Operations Manager.

### **Gifts Etc., Offered At the Time of Business Transactions or Contracts**

The standard conditions of Government contracts prohibit a contractor from offering or making a gift or other consideration of any kind as an inducement to some action relating to the contract. If an offer, gift or irregular suggestion (overtly or covertly) is made to you either in connection with a contract or with the object of obtaining

preferential treatment prior to the acceptance of a contract, the facts must be reported immediately to the Council Manager.

A gift or other benefit offered after a contract has been awarded or some other transaction has been negotiated must be refused.

Whilst you are acting in your official capacity you should never disclose your private address to a contractor. To do so could leave you liable to risks of charges of corruption and brings the risk of criminal and/or disciplinary action.

### **Benefits or Other Considerations Offered To Employees**

Marketing and promotion by commerce and industry often involves not only gifts but also the offer to individuals of services or goods provided at discount prices.

Offers of facilities or benefits could include:

- free use of company sporting or other facilities
- use of discount shopping card provided by company
- provision of services or goods at a reduced price
- free membership of a local club or facility
- participation in a foreign trip, either free or at a rate charged to the company's own employees
- financial support or gifts for an office party
- option to buy a company car at favourable price.

If you receive an offer of a benefit (or other consideration of a similar kind), either for yourself or for a member of your family, in connection with your work for the Inspectorate, it should be politely but firmly refused with, if necessary, a polite letter explaining the Council's rules. Any such offer must be reported immediately to the Council Manager and recorded for scrutiny by the P+R committee.

Failure to comply with this guidance may lead to disciplinary action and, in cases where significant and illegal breaches have occurred, such actions will be reported to the relevant authorities which may lead to civil or criminal proceedings.

<b>Last review date:</b>	May 2021
<b>Next review date:</b>	May 2022
<b>Lead:</b>	Council Manager
<b>Overseeing Committee:</b>	Full Council
<b>Approved:</b>	
<b>Review cycle:</b>	Annually

## **Appendix 1**

### **Notification of Gifts and Hospitality Offered**

This form should be used when reporting a gift to be placed on the Gift and Hospitality Register in accordance with the guidance above.

#### **Personal Details**

Your Name	
Line Mangers Name	
Your job Title	

#### **Gifts and Hospitality details**

Date of offer	
Reason for offer (where known)	
Name of person making the offer	
Name of their organisation (if applicable)	
Description of offer	
Accepted or refused?	
If accepted, name of person authorising acceptance	

#### **Registration details**

Estimated value	
Registered with P+R committee Y/N	
Date of P+R committee agreement	

**Please use this space for any other information e.g. what is to happen with the gift or hospitality**

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