



Derry City & Strabane  
District Council

Comhairle  
Chathair Dhoire &  
Cheantar an tSratha Báin

Derry Cittie & Stràbane  
Destrìck Cooncil

## Gifts and Hospitality Policy

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<b>Responsible Officer</b>	Lead Assurance Officer
<b>Contact Officer</b>	Lead Assurance Officer
<b>Approval</b>	
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<b>Associated Documents</b>	

## **1. Introduction**

This policy is intended to provide advice and guidance to Council Members and Council workers, who in the course of their day-to-day role within Council, either receive offers of gifts and hospitality or provide gifts and hospitality to others on behalf of Council.

### **1.1 Purpose**

- 1.11 To ensure that Elected Members and Council workers always maintain the highest standards of conduct in their roles within Council.
- 1.12 To protect against claims of compromised decision making in Council business.
- 1.13 To ensure compliance with the Principles of Public Life drawn up by the Nolan Committee and the NI Assembly.
- 1.14 To ensure compliance with relevant legislation.

### **1.2 Background**

Within Local Government there has always been the requirement for both Elected Members and employees to exhibit the highest standards of propriety in their official roles; thereby ensuring public confidence in the work of the Council. This is achieved through the application of robust and transparent internal controls such as the implementation of Council policies. Additionally, Local Government Reform has placed a higher ethical framework which must be implemented by Councils.

The following are the key documents which direct the behaviour of Elected Members and employees in respect to this policy area:

- The Code of Conduct for Local Government Employees
- The NI Local Government Code of Conduct for Councillors
- Northern Ireland Civil Service Guidance DAO 10/06 and 02/10.

The above documents define the key principles in this area, which are as follows:

Elected Members/Employees should....

- Always conduct themselves with integrity, impartiality and honesty in Council business.
- Never receive benefits of any kind or do anything, which may give the impression to colleagues or to the public that they have been influenced by an inducement to show bias for or against any person or organisation or appear to place them under an improper obligation in Council business.
- Not make use of their official position to further their private interests or those of others.
- Base all purchasing decisions and negotiations of contracts solely on achieving best value for money for the rate payer with no influence as a result of any gifts or hospitality offered or received.

- Discourage gifts and hospitality to immediate family members (i.e. spouse, partner of child) which might place you or reasonably appear to place you under an improper obligation.
- Record offers of gifts and hospitality as required by this policy in the Council Register.

## 2.0 Scope

This policy applies to all Council Elected Members and Council workers (temporary, permanent, part time, and full time), and any agency staff, volunteers or consultants undertaking Council work.

## 3.0 Definitions

**Gift** is the transfer of something, without the need for compensation that is involved in trade. A gift is a voluntary act which does not require anything in return. Even though it involves possibly a social expectation of reciprocity, or a return in the form of prestige or power, a gift is meant to be free.

**Hospitality** refers to the relationship process between a guest and a host, and it also refers to the act or practice of being hospitable, that is, the reception and entertainment of guests, visitors, or strangers, with liberality and goodwill.

**Official Hospitality** refers to hospitality provided by Council in the course of Council Business.

**Register** is the official record listing all offers of gifts and hospitality received.

**Council Workers** is the generic title applied to all Council employees, volunteers and Consultants working on Council business.

**Approving Officer** is the Officer who authorises the acceptance of gifts and hospitality and official hospitality for Council workers. For Elected Members it is the Party Leader for political parties and the Chief Executive for Independent Members.

## 4.0 Policy Statement

The Council is committed to providing the highest standard of service which instils public confidence and is defensible against claims of compromised decision making. In line with this commitment, the Council requires all Elected Members and those working on behalf of Council to comply with the requirements of this Policy.

Adherence with this policy will ensure that all offers and receipt of gifts and hospitality are recorded in the official Register which will be available for public scrutiny.

#### 4.1 **Roles and Responsibilities**

The roles and responsibilities of Elected Members and Council workers are highlighted below:

##### Chief Executive

The Chief Executive is responsible for:

- Acting as Approving Officer for all Directors and Independent Members of Council.
- Ensuring full compliance of this policy by all Directors.
- Approving the acceptance of gifts and / or hospitality by all Directors.
- Approving in advance the provision of official hospitality by Directors.
- Approving the purchase of gifts by Directors.

##### Directors

Directors are responsible within their respective Directorate for:

- Acting as Approving Officer for all Heads of Service and Lead Officers.
- Ensuring full compliance of this policy by all Heads of Service and Lead Officers.
- Approving the acceptance of all gifts and/or hospitality by Heads of Service and Lead Officers.
- Approving in advance the provision of official hospitality by Heads of Service and Lead Officers.
- Approving the purchase of gifts by Heads of Service and Lead Officers.
- Allocating the task of inputting all declarations from their Directorate onto the Register and providing an up to date Register available for public inspection.

##### Line Managers

Line Managers are responsible for:

- Acting as Approving Officer for workers.
- Ensuring full compliance of this Policy by all their workers.
- Approving the acceptance of gifts and/or hospitality by workers.
- Approving in advance the provision of official hospitality by workers.
- Approving the purchase of gifts by workers.

##### Party Leaders

Party Leaders are responsible for:

- Acting as Approval Officer for Party Members on Council.
- Ensuring compliance of this Policy by all Council party members.

- Approving the acceptance of all gifts and/or hospitality by Council party members.

#### Elected Members and Council Workers

Elected Members and Council Workers are responsible for:

- Declaring any gifts / hospitality offered/ received/declined in accordance with this policy.
- Completing the relevant approval form to accept hospitality / gifts and ensuring that it is passed to the relevant Approving Officer for authorisation.
- Completing appropriate form for official hospitality and ensuring that it is approved prior to the expenditure being incurred.

#### Internal Audit Manager

Internal Audit Manager is responsible for:

- Providing advice & guidance on this policy.
- Reviewing annually all hospitality accepted / declined by the Chief Executive.
- Reporting regularly to the Audit Committee on entries on the Register; providing assurance that the policy is being implemented effectively and identifying any areas of concern.
- Reviewing the Policy.

## **4.2 Guidance and Procedures**

### **4.21 Register for Gifts and Hospitality**

Each directorate is responsible for maintaining a Gifts & Hospitality Register.

All Elected Members and Council workers should complete the appropriate form to report offers/requests for approval of gifts and hospitality (Appendix 1). This form should then be forwarded promptly to the Approving Officer for authorisation. The form is then forwarded to the relevant nominated person for input into the Register (Appendix 4).

Elected Members must forward their required forms within 28 days to the Chief Executive of Council. Forms for Employees must be forwarded to the relevant nominated person within each Directorate within 28 days.

### **4.22 Acceptance of Gifts**

The general principle is that where possible all offers of gifts should be refused courteously. It is accepted however that often such refusal can cause offense or could be detrimental to effective relationships. For these reasons, **gifts under the value of £30 may be accepted**. The offer of these gifts does not need to be recorded and does not need approval.

**Under no circumstances, should cash gifts be accepted.**

**All offers and acceptance of gifts over the value of £30 must be refused/returned and such offers must be recorded.**

The Mayor of Council/Deputy Mayor/Elected Members may be presented with civic gifts for Council. These civic gifts may be accepted, do not need to be recorded and do not require approval. These shall remain the property of Council and will be listed in the relevant Council inventory.

#### **4.23 Expenditure on Gifts**

The issuing of gifts should not be regarded as part of the normal conduct of Council business and, where necessary should involve only modest expense and represent value for money. Approval from the relevant Approving Officer must be obtained prior to gifts being purchased. A request form B must be completed (Appendix 2). These gifts do not need to be recorded.

Gifts of cash should not be made.

#### **4.24 Acceptance of Hospitality from External Sources**

The handling of offers of hospitality is a difficult area to regulate. It is important however that the level of hospitality is not excessive and that such is necessary for the purpose of fulfilling a role. In deciding whether it would be appropriate to accept hospitality, all of the following conditions should apply:

- The hospitality is corporate rather than personal.
- The acceptance of the hospitality does not compromise the integrity and impartiality of the recipient in their Council role.
- It does not place the recipient under any obligation in terms of reciprocal hospitality, business dealings etc.
- There is a genuine need to attend the event in order to impart or receive information in relation to Council business or to represent Council in the community;
- There is not over representation by Council.

**Provided all of the above conditions can be met then any offers/acceptance of Hospitality under the value of £30 may be accepted without the need to record in the Register or obtain approval.**

**All offers of hospitality over the value of £30 must be recorded and approval obtained from the Approving Officer;** with the exception of invitations/conferences/training events which are presented to Council; the details of such will be recorded in the minutes of a Council meeting.

#### **4.25 Official Hospitality provided by Council**

In carrying out daily business, it will be necessary for Council officers to provide hospitality to attendees at Council meetings/events etc.

Council Officers are required to seek approval from the relevant budget holder for the provision of official hospitality on the In House Catering Request/Authorisation Form (Appendix 3). Once approved, this form is then sent to the internal Catering Provider.

Where catering needs to be ordered from an external provider, a request form must be submitted to the Approving Officer for authorisation (Appendix 4). Once approved an order can be placed for the hospitality.

#### **4.26 Award or Prizes**

Any awards or prizes issued to Elected Members or staff as a result of Council's contribution or achievements, do not require approval or recording. Such will retained by Council.

#### **4.3 Public Disclosure**

The Register will be updated promptly and will be available for inspection by the public on the Council's website and any associated FOI requests will be directed to this site.

#### **5.0 Legal Framework**

This policy complies with the following legislation:

- **The Local Government Act (NI) 1972** – States that an Officer of the Council cannot through their Council role demand or accept any fee or reward other than their proper remuneration. If they do so they will be liable on conviction of a fine.
- **The Bribery Act 2010** - States that it is an offence for an Elected Member or a Council worker to accept or offer a bribe to improperly perform a function or activity within their Council role.
- **Freedom of Information Act 2014** – Required Council as a Public Authority to provide public access to information which it holds; unless there are valid legal reasons not to do so.
- **The Local Government (NI) Act 2014** – States that Elected Members must comply with the Northern Ireland Local Government Code of

Conduct for Councillors which requires Members to provide notification to the CE within 28 days of receiving any gift, hospitality, material benefit or service above a value specified by Council. Also requires members not to accept such if it would place them under an improper obligation and it discourages gifts and offers to any family members which may place or appear to place the Member under an improper obligation.

## **6.0 Impact Assessment**

### **6.1 Screening and Equality Impact Assessment**

A completed screening questionnaire has been completed and is attached. The Policy is to be screened out for Equality Impact Assessment.

### **6.2 Impact on Staff and Financial Resources**

There will be no impact on staff or financial resources as a result of this Policy.

### **6.3 Sustainable development**

There will be no sustainable development impact as a result of this Policy.

## **7.0 Implementation**

### **7.1 Support and Advice**

Advice and guidance on this Policy may be obtained from the Head of Internal Audit and Risk Services.

### **7.2 Guidelines and Forms**

All required forms and guidance are attached in the appendices to this Policy:

Appendix 1 – Reporting of Offers of Gifts and Hospitality and Requesting Approval to Accept Hospitality

Appendix 2 – Request for Approval to Purchase Gift

Appendix 3 – In House Catering Request / Authorisation Form

Appendix 4 – External Catering Request/Authorisation Form

Appendix 5 – Register to Record all Offers of Gifts and Hospitality and Requesting Approval to Accept Hospitality

Appendix 6 – Gifts and Hospitality Checklist

### **7.3 Communication Strategy**

All Elected Members, Council Workers, agency staff, volunteers and consultants will be provided with a copy of this Policy. Further advice or guidance can be obtained by contacting the Internal Audit Manager.

### **7.4 Risk Management**



Failure to effectively implement this Policy increases the risk of the Council not achieving the highest possible standards in terms of openness, probity and accountability. This Policy will be monitored at the Council's Audit Committee to ensure that it is being implemented effectively and to identify any areas of concern.

## **8.0 Compliance with this Policy**

- 8.1 All Elected Members and Council workers are required to comply fully with this policy.
- 8.2 Any reported breaches by Elected Members can be notified to the Northern Ireland Commissioner for investigation through the Code of Conduct.
- 8.3 Any breaches by Council workers will be dealt with by the relevant Director through the Council's disciplinary procedures.

## **9.0 Monitoring, Review and Evaluation**

This Policy will be reviewed in April 2019 by the Lead Assurance Officer.

## Appendix 1

### Reporting of Offers of Gifts and Hospitality and Requesting Approval to Accept Hospitality

<b>Reporting Declined Offers / Requesting Approval To Accept Gifts / Hospitality</b>	
Name of person who received the offer of the gift / hospitality	
Name of Department / Section of the person who received the offer. Where an Elected Member – State Elected Member and Name of Political Party	
Name and address of person / organisation offering the gift / hospitality	
Description and estimated value (where known) of gift / hospitality offered	
Date of offer	
Reason to accept / decline the gift / hospitality	
Signature of person who received the offer	
Decision of Approving Officer (accept / decline)	
Signature of Approving Officer	<b>Signature:</b>  <b>Date:</b>

## Appendix 2

## Request for Approval to Purchase Gift

Request for Approval to Purchase Gift	
<b>Department / Section Reference:</b>	
Name and address of proposed recipient(s), i.e. who will receive the gift from the Council	
Description of proposed gift	
Estimated value of gift	
Reason for making the gift	
Proposed date of presentation of gift	
Name and Department / Section of the officer who is requesting approval to purchase the gift	
Signature of the officer requesting approval	<b>Signature:</b>  <b>Date:</b>
Signature of the Approving Officer	<b>Signature:</b>  <b>Date:</b>

**Derry City and Strabane District Council  
(In House) Catering Request / Authorisation Form**

<b>Department</b>	
<b>Budget Code</b>	
<b>Title of Event</b>	
<b>Date of Event</b>	
<b>Internal Attendees</b>	
<b>External Attendees</b>	

<b>Time</b>	<b>No. Catered for</b>	<b>Room</b>	<b>Menu Requirements</b>	<b>Cost</b>
1.				
2.				
3.				

**Requested By:** \_\_\_\_\_  
**Signature:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

**Approval By:** \_\_\_\_\_ (Print Name)  
**Signature:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

**External Catering Request / Authorisation Form**

<b>Department</b>	
<b>Budget Code</b>	
<b>Title and purpose of Event</b>	
<b>Venue for Event</b>  <i>Specify why Council facilities were not used; and how this venue was chosen?</i>	
<b>Date of Event</b>	
<b>Internal Attendees</b>	
<b>External Attendees</b>	
<b>Itemised Costs</b>	
<b>Specify how value for money has been assessed.</b>	

**Requested By:** \_\_\_\_\_  
**Signature:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

**Approval By:** \_\_\_\_\_ (Print Name)  
**Signature:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

**Register to Record all Offers of Gifts (over the value of £30) and Hospitality and Requesting Approval to Accept Hospitality**

Ref.	Description and estimated value (where known) of gift / hospitality offered	Name and Department / Section of person receiving the offer	Name and address of person / organisation offering the gift / hospitality	Date of offer	Reason to accept / decline gift / hospitality	Decision of approving officer (accept / decline)	Name of approving officer	Date of decision

### Gifts and Hospitality Checklist

<b>Category</b>	<b>Accept/Refuse</b>	<b>Record in Register</b>	<b>Approval Required</b>
<b>Gifts &lt;£30 Cash Gifts</b>	<b>Accept Refuse</b>	<b>Do Not Record Do Not Record</b>	<b>Not Required N/A</b>
<b>Gifts &gt; £30 Cash Gifts</b>	<b>Refuse Refuse</b>	<b>Record Record</b>	<b>N/A N/A</b>
<b>Civic Gifts</b>	<b>Accept</b>	<b>Do Not Record</b>	<b>Not Required</b>
<b>Awards and Prizes</b>	<b>Accept</b>	<b>Do Not Record</b>	<b>Not Required</b>
<b>Official Hospitality</b>	<b>Accept</b>	<b>Do Not Record</b>	<b>Required by Officer making request.</b>
<b>External Hospitality &lt; £30</b>	<b>Accept</b>	<b>Do Not Record</b>	<b>Not Required</b>
<b>External Hospitality &gt; £30</b>	<b>Accept</b>	<b>Record</b>	<b>Required</b>