

**Gifts and Hospitality Policy**

**Approved on: 25 January 2023**

**Minute Reference: C24/23**

**Contents**

# 1 [Preamble](#preamble)

2 [Scope](#scope)

3 [Definitions](#definition)

4 [Policy Statement](#policy)

5 [Roles and Responsibilities](#roles)

6 [General Principles](#principles)

7[Guidance and Procedures](#initiation)

8 [Legal and Policy Framework](#legal)

9 [Linkage to Corporate Plan](#corporate)

10 [Impact Assessment](#assessment)

11 [Communication, Support and Training](#communication)

12 [Risk Assessment](#risk)

13 [Monitoring, Review and Evaluation](#monitoring)

14 [Policy Details](#details)

15 [Document Control](#version)

**Gifts and Hospitality Policy**

# Preamble

## This policy is intended to provide advice and guidance to Council Officers, 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.

## To ensure that Council Officers always maintain the highest standards of conduct in their roles within Council.

## To protect against claims of compromised decision making in Council business.

## To ensure compliance with the Principles of Public Life drawn up by the Nolan Committee and the NI Assembly.

## To ensure compliance with relevant legislation.

# Scope

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

# Definitions

3.1 Throughout this policy, the following definitions will apply:

* **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 Officers.

# Policy Statement

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

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

# Roles and Responsibilities

## The roles and responsibilities of Council Officers are highlighted below:

5.2 Chief Executive

5.3 The Chief Executive is responsible for:

• Acting as Approving Officer for all Directors and Lead Officers.

• Ensuring full compliance of this policy by all Directors and Lead Officers.

• Approving the acceptance of gifts and / or hospitality by all Directors and Lead Officers.

• Approving in advance the provision of official hospitality by Directors and Lead Officers.

• Approving the purchase of gifts by Directors and Lead Officers.

• Allocating the task of inputting all declarations from the Chief Executive’s Department onto a Register and ensuring that an up to date Register is maintained at all times.

5.4 Directors

5.5 Directors are responsible within their respective Directorate for:

• Acting as Approving Officer for Heads of Service.

• Ensuring full compliance of this policy by Heads of Service.

• Approving the acceptance of all gifts and/or hospitality by Heads of Service.

• Approving in advance the provision of official hospitality by Heads of Service.

• Approving the purchase of gifts by Heads of Service.

• Allocating the task of inputting all declarations from their Directorate onto a Register and providing an up to date Register available for public inspection.

5.6 Heads of Service and Lead Officers

5.7 Heads of Service and Lead Officers are responsible for:

• Acting as Approving Officer for all staff within their area of responsibility.

• Ensuring full compliance of this Policy by all staff within their area of responsibility.

• Approving the acceptance of gifts and/or hospitality by all staff within their area of responsibility.

• Approving in advance the provision of official hospitality by all staff within their area of responsibility.

• Approving the purchase of gifts by all staff within their area of responsibility.

• Ensuring that all declarations are recorded on the relevant Gifts & Hospitality Register.

5.8 Council Officers

5.9 Council Officers 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.

5.10 Lead Assurance Officer

5.11 Lead Assurance Officer is responsible for:

• Providing advice & guidance on this policy.

• Providing assurance that the policy is being implemented effectively and identifying any areas of concern.

• Reviewing the Policy.

5.12 Internal Audit Manager

5.13 An Internal Audit of compliance with this Policy is included in the most recent Audit Needs Assessment for Council.

# General Principles

* 1. Within Local Government there has always been the requirement for 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.
	2. The following are the key documents which direct the behaviour of employees in respect to this policy area:

• The Code of Conduct for Local Government Employees

• Northern Ireland Civil Service Guidance DAO 10/06 and 02/10.

• DCSDC Code of Conduct for Employees

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

6.4 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 relevant Gifts & Hospitality Register.

# Guidance and Procedures

## Register for Gifts and Hospitality

7.2 Each directorate is responsible for maintaining a Gifts & Hospitality Register. The following registers should be in place within the Organisation:

• Chief Executive’s Gifts & Hospitality Register (including Support Services)

• Business & Culture Gifts & Hospitality Register

• Environment & Regeneration Gifts & hospitality Register

• Health & Community Gifts & Hospitality Register

## All Council Officers 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 onto the relevant Register

## Forms for Employees must be forwarded to the relevant nominated person within each Directorate within 28 days.

## 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.

## In certain circumstances, gifts can be accepted over the value of £30, however, a rationale must be provided and appropriate approval must be evidenced / dated and retained on file for future review and audit purposes.

## Expenditure on Gifts

7.10 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.

7.11 Gifts of cash should not be made.

7.12 Acceptance of Hospitality from External Sources

7.13 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.

7.14 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.

7.15 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.

7.16 Official Hospitality provided by Council

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

7.18 Council Officers are required to seek approval from the relevant budget holder for the provision of official hospitality. All hospitality will be provided using the Council’s designated catering providers (as determined following a tender exercise).

7.19 Award or Prizes

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

#  Legal and Policy 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.
1. **Linkage to Corporate Plan**
	1. The Conflicts of Interest Policy is part of the architecture of good governance which is linked to all four corporate plan improvement objectives.
2. **Impact Assessment**
	1. **Equality Screening**
	2. There are no implications arising from this report.

10.3 The policy has been screened out for equality purposes.

**10.4 Rural Needs Impact Assessment**

10.5 There are no implications arising from this report.

* 1. **Impact on staff and financial resources**
	2. There are no implications arising from this report.

**10.8 Climate change / Sustainable development**

10.9 There are no implications arising from this report.

* 1. **Other impacts**

10.11 There are no implications arising from this report.

#  Communication, Support and Training

## All, Council Officers and agency staff will be provided with a copy of this policy. Staff will be advised if further information is required in relation to the policy to contact the Lead Assurance Officer and/or the Assurance Manager for advice and guidance. Training will also be delivered in relation to this policy. The Policy will also be available on the Council’s website.

#  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 in turn increases the risk of problems being overlooked or the concern being directed to the media or other external bodies. This policy will be monitored regularly to ensure that it is being implemented.

1. **Monitoring, review and evaluation**
	1. This Policy will be reviewed in 2026 by the Lead Assurance Officer and/or the Assurance Manager.

# Policy Details

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| **Document Number** |  |
| **Responsible Officer** | Lead Assurance Officer |
| **Contact Officer** | Lead Assurance Officer / Assurance Manager |
| **Approval** | Assurance, Audit & Risk Committee |
| **Effective Date** | 01.02.23 |
| **Modifications** |  |
| **Superseded Documents** |  |
| **Review Date** | 01.02.26 |
| **File Number** |  |
| **Associated Documents** |  |

# Amendments / Version Control

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| --- | --- | --- | --- |
| Version | Description | Author | Date |
| V0.1 | Changes to text | Lead Assurance Officer | 2016 |
| V0.2 | Changes to text | Lead Assurance Officer | 2019 |
| V0.3 | Changes to text | Lead Assurance Officer | 2022 |

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**For further information on alternative formats please contact**

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