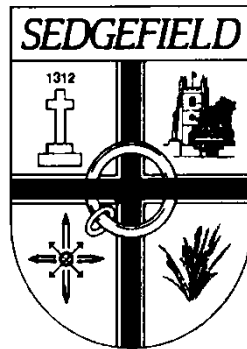


# Sedgefield Town Council



## GIFTS AND HOSPITALITY POLICY

*Passionate* about Sedgefield

north east  
england

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3.0	13.5.19	Jane Ayre, Town Clerk	April 2020

# SEDGEFIELD TOWN COUNCIL GIFTS AND HOSPITALITY POLICY

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**This Gifts and Hospitality Policy was adopted by the Full Council at the AGM on 13<sup>th</sup> May 2019 and will be reviewed in April 2020 in order that they can be presented for adoption at the Annual General Meeting of the Town Council in May 2020. The Clerk will continuously monitor changes in legislation or proper practices and shall advise the Council of any requirement for a consequential amendment to this Policy.**

## **1. INTRODUCTION**

1.1. This Policy provides guidance for all Councillors and Officers of the Town Council when considering whether to accept gifts or hospitality from individuals or organisations, and if accepting such then how to record this correctly.

## **2. CODE OF CONDUCT:**

2.1. When Councillors take their Declaration and Acceptance of Office they acknowledge in writing that they will comply with Sedgefield Town Council's Code of Conduct. It is important that Councillors understand the Code of Conduct, a copy of this has been given to all.

2.2. The conduct expected by Officers is clearly detailed in their contract of employment as well as the Town Council's Staff Handbook.

## **3. GENERAL CAUTION:**

3.1. Treat with extreme caution any offer or gift, favour or hospitality that is made to you personally which may possibly be perceived to be in connection with your position as an Officer or Councillor.

3.2. Your personal reputation and that of Sedgefield Town Council can be seriously jeopardised by the inappropriate acceptance by you of a gift or hospitality.

3.3. The acceptance of gifts and hospitality is not always unlawful or inappropriate. The decision for you in every case is whether it is appropriate to accept any gift or hospitality that might be offered to you, having regard to how it might be perceived.

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- 3.4. No hard and fast rules can be laid down to cover every circumstance as to what is appropriate or inappropriate. This Policy offers general principles to enable you to make your own decision. If you are in any doubt speak to the Town Clerk directly.

#### **4. CRIMINAL LAW**

- 4.1. It is a criminal offence corruptly to solicit or receive any gift, reward or advantage as an inducement to doing or forbearing to do anything in respect of any transaction involving Sedgefield Town Council.
- 4.2. The onus would be on the individual to disprove corruption in relation to a gift from a person holding or seeking to obtain a contract from Sedgefield Town Council.

#### **5. LIMITS OF GUIDANCE**

- 5.1. This Protocol does not apply to:
- a. Gifts and hospitality you may receive from family and friends (as birthday or other festival presents) that are not related to your position as an Officer or Councillor. You should however question any such gift or hospitality offered from an unusual source.
  - b. The acceptance of facilities or hospitality provided to you by Sedgefield Town Council.
  - c. Gifts given to Sedgefield Town Council that you accept formally on the Council's behalf and are retained by the Council and not by you personally.

#### **6. MEANING OF GIFTS AND HOSPITALITY**

- 6.1. The expressions 'gifts' and 'hospitality' have wide meanings and no conclusive definition is possible.
- 6.2. Gifts and hospitality include:
- a. The free gift of any goods or services;
  - b. The opportunity to acquire any goods or services at a discount or at terms not available to the general public;
  - c. The opportunity to obtain goods or services not available to the general public;

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- d. The offer of food, drink, accommodation or entertainment or the opportunity to attend any cultural or sporting event;
- e. The use of a free car.

6.3. 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 or Councillor of Sedgefield Town Council.

## **7. APPROPRIATE GIFTS AND HOSPITALITY**

7.1. There are some circumstances where you may accept gifts and hospitality as being in the normal course of your duties as Officer or Councillor:

- a. Civic hospitality provided by another public authority
- b. Normal and modest refreshment in connection with any meeting in the course of your work as an Officer or Councillor (e.g. tea, coffee and other normal beverages and biscuits)
- c. Tickets for sporting, cultural and entertainment events that are sponsored or promoted by Sedgefield Town Council or bodies to which you have been appointed by Sedgefield Town Council, and the tickets are offered in relation to that sponsorship or promotion
- d. Small low value gifts (below £50.00 such as pens, calendars, diaries, flowers and other mementos and tokens)
- e. Drinks or other modest refreshment in the normal course of socialising arising consequentially from Town Council business (e.g. inclusion in a round of drinks after a meeting)
- f. Modest meals provided as a matter of courtesy in the office or meeting place of a person with whom Sedgefield Town Council has a business connection
- g. Souvenirs and gifts from other public bodies intended as personal gifts (e.g. arising from twin-town and other civic events)

## **8. PRINCIPLES TO APPLY IN RELATION TO GIFTS AND HOSPITALITY**

8.1 In deciding whether it is appropriate to accept any gift or hospitality you must apply the following principles:

- a. Do not accept a gift or hospitality as an inducement or reward for anything you do as an Officer or Councillor. If you have any suspicion that the motive behind the gift or hospitality is an inducement or reward you must decline in.

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- b. “Reward” includes remuneration, reimbursement and fee, offered, paid, promised or implied.
- c. Do not accept a gift or hospitality of significant value or whose value is excessive in the circumstances.
- d. Do not accept a gift or hospitality if acceptance might be open to misinterpretation. Such circumstances will include gifts and hospitality:
  - From parties involved with Sedgefield Town Council in a competitive tendering or other procurement process;
  - From applicants for planning permission and other applications for licences, consents and approvals in which Sedgefield Town Council has an involvement;
  - From applications for grants, including voluntary bodies and other organisations applying for public funding from Sedgefield Town Council;
  - From parties in legal proceedings with Sedgefield Town Council.

8.2. Do not accept a gift or hospitality if you believe it will put you under any obligation to the provider as a consequence.

8.3. Do not solicit any gift or hospitality and avoid giving any perception of so doing.

## **9. GIFTS RECEIVED AND DONATED TO THE MAYOR’S CHARITY**

9.1 Councillors may on receiving gifts of value pass them to the Mayor in relation to a charity fund rather than retain them personally.

9.2 Councillors should indicate this intention to the provider and should register this clearly (see Section 10).

## **10. REGISTRATION OF GIFTS AND HOSPITALITY**

10.1 Officers and Members are legally required to notify the Town Clerk of offers or receipts of gifts and hospitality of more than £50.

10.2. Councillors must, within 28 days of receiving any gift or hospitality over the value of £50.00, complete Section 3 of their “Register of Member’s Pecuniary and Other Interests” form and return to the Town Clerk. The Town Clerk will then forward this to the Monitoring Officer at Durham County Council in order that this information can be displayed on the County Council’s website (Note: this information will also be displayed on the Town Council’s website via link to the County Council’s website).

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10.3. Officers must, within 28 days of receiving any gift or hospitality over the value of £50.00, complete the “Officer Notification of Receipt of Gifts and/or Hospitality” form in Appendix 1 and return to the Town Clerk. The Town Clerk will then keep a permanent record thereof.

## **11. REPORTING OF INAPPROPRIATE GIFTS AND HOSPITALITY OFFERED**

11.1 It is a criminal offence for a person corruptly to give or offer any gift, reward or advantage as an inducement or reward to you for doing or forbearing to do anything as an Officer or Councillor of Sedgefield Town Council.

11.2 You must immediately report to the Town Clerk of Sedgefield Town Council any circumstances where an inappropriate gift or hospitality has been offered to you.

11.3 You may thereafter be required to assist the Police in providing evidence.

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**APPENDIX 1 – OFFICER NOTIFICATION OF RECEIPT OF GIFTS  
AND/OR HOSPITALITY FORM**

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**SEDFIELD TOWN COUNCIL**

**OFFICER NOTIFICATION OF RECEIPT OF GIFTS AND/OR HOSPITALITY**

<b>What was the gift and/or hospitality? Give full description.</b>	
<b>What is your best estimate of its market value or cost?</b>	
<b>Who provided it?</b>	
<b>When and where did you receive it?</b>	
<b>Signature:</b>	
<b>Name in print:</b>	

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<b>OFFICE USE:</b> <b>Signature of Town Clerk:</b>  <b>Date Notification received by Town Clerk:</b>	
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