

## **Gifts And Hospitality**

For information on providing hospitality see section in [Travel & Subsistence](#).

Employees should be extremely careful about accepting gifts and hospitality (including entertainment). Acceptance of gifts and hospitality in inappropriate circumstances can lead to allegations of impropriety or even criminal charges. The law relating to corruption is set out in the Public Bodies Corrupt Practices Act 1889, the 1905 and 1916 Prevention of Corruption Acts and the Local Government Act 1972. In essence it is a criminal offence under the 1889-1916 legislation to corruptly receive directly or indirectly (or give) any gift, loan, fee, reward or advantage as an inducement or reward to do or not do anything as the officer of a local authority. Under the 1972 Act it is a criminal offence for an officer to accept any fee or reward, other than proper remuneration under cover of his/her office or employment.

The general approach of the Prime Minister's Committee on Local Government Rules of Conduct to the problem of gifts and hospitality is put in the following terms:

"Another particular source of conflict between the private and the public interest is the offer of gifts, hospitality or other benefits in kind to Councillors in connection with their official duties. A nice exercise of judgment may sometimes be necessary to decide how the public interest, and the authority's good name, may best be served. A reasonable amount of entertainment is a normal part of the courtesies of public life, and extreme strictness can give unnecessary offence to people and organisations with whom the authority's relationships should be cordial. But an appearance of improper influence is easily created and with it encouragement of cynicism about the motives of those who serve in local government."

In the light of the above the following rules have been developed to ensure that employees' conduct is beyond reproach.

### **Gifts**

With the exceptions listed below, an employee should refuse any personal gift (including cash) offered to him/her or to a member of his/her family by any person who has, or seeks, dealings with the Authority, and the offer should be reported to the Chief Officer of the department concerned.

1. A trivial gift of promotional character given to a wide range of people and not uniquely to the employees. These gifts are usually given at Christmas time and include calendars, diaries, desk charts, flow charts, tape measures, scales and other articles of use in the office or for the job.
2. Trivial gifts on the conclusion of any courtesy visit to a factory or firm of a sort normally given by that firm.

Obviously it is wise to err on the side of caution; and obviously an expensive gift should raise a question, even if it otherwise falls within one of the above categories. If in doubt, the advice of the superior officer should be sought. When a gift is to be refused, this should be done with tact because the offering of gifts is common practice in the commercial world. However, occasionally it may be appropriate with the agreement of the Chief Officer to pass on a gift or cash to the Mayor to receive on behalf of the Council or to a reputable charity to avoid giving offence.

### **Hospitality/Entertainment**

Hospitality/Entertainment is sometimes offered to senior officers as official representatives of the Authority and may be accepted in the following circumstances:

1. if the appropriate Chief Officer can justify acceptance in the context of fulfilling duties as a representative of the Authority;
2. if the extent of the hospitality/entertainment is reasonable and is likely to be regarded as a normal part of the courtesies of public life;
3. if details of the hospitality/entertainment are recorded as soon as practicable in a register to be maintained by each Chief Officer.

However, special caution is needed where the host is a private individual or seeking to do business with the Authority or to obtain a decision from it or has been involved with the Authority commercially. It is important to avoid any suggestion of undue influence and therefore in these circumstances hospitality/entertainment should normally be avoided with the exception of modest refreshments provided during discussions/negotiations. Again, any hospitality/entertainment received should be registered.

Any breach of these guidelines could result in disciplinary action being taken.

