

# Corporate HR - Hospitality/Acceptance of Gifts Policy

## EMPLOYMENT ZONE

# Introduction

The following guidelines provide employees with appropriate ways of dealing with the situations they may find themselves in regarding hospitality and gifts.

Gifts and hospitality include monetary gifts, free or subsidised travel or accommodation, goods or services, invites to functions, concerts and events.

The acceptance of gifts and/or hospitality must be approved by a member of their Service leadership team, or nominated authorising officer before they are accepted.

This guide should be read in conjunction with our [Code of Conduct](#) and [Guide to Declaration of Interests](#).

## Hospitality and gifts offered to employees

### Guidelines on the receipt of hospitality

The receipt of hospitality by employees should only be accepted when it is clearly in the Council's interests. It is essential that any suggestion of improper influence should be avoided.

Hospitality must not be accepted knowingly during the tendering period of a contract and employees should always be aware of the possibility that the contractor/consultant offering hospitality may be tendering for a contract elsewhere in the Council. The clear rule of thumb is that when in doubt politely refuse.

The following examples give general guidance on acceptable and unacceptable hospitality:

Generally acceptable:

- a working lunch provided to allow the parties to discuss business, though it should be remembered that lavish provision could well raise questions.
- attendance in an official capacity at functions to which invitations have also been sent to representatives of other organisations.
- attendance in an official capacity at functions arranged by public utilities and public authorities.

Generally unacceptable:

- the provision of a holiday or weekend away.
- the use of a company flat, hotel suite or other accommodation.
- lunch with a developer whose application is awaiting consideration by the Council

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- an invitation to join other company guests at events involving lavish hospitality, including concerts and sporting events.
- when a matter such as arbitration arises from a contract, **any** offer of hospitality should be refused even if, in normal circumstances, it would come within the acceptable category.
- repeat invitations by the same organisation / individual.
- provision of hospitality for example access to venues and catering for private charitable events. A private charitable event is one not clearly and directly associated with the council or council family for example those run by the Lord Provost.

### Guidelines on the receipt of gifts

It is important to be careful when gifts are offered by organisations (or their representatives) which are able to provide work, goods or services to the Council or which seek authority (e.g. licence, planning consent) from the Council to carry out their businesses. In general, therefore, an employee should politely refuse any personal gift offered to them or to any member of their family by any person or body which has, or seeks to have, dealings with the Council.

Gifts that may be accepted include:

- Small gifts of a promotional or advertising character, which are often given to a wide range of people, e.g. calendars, diaries, pens, charts and other similar articles;
- Small gifts given on the conclusion of a visit to factory, firm, community organisation or voluntary group of a type normally given by the organisation concerned, or where a contractor wishes to mark the completion of a new building, when such gifts are made to a number of people on the same occasion or as part of a normally accepted practice;
- Small gifts where refusal would cause needless offence and the giver is not seeking a decision or business from the Council but merely wishes to express thanks for advice, help or co-operation received.

Where a gift is personal, valued at less than £20 and cannot be used by the Council, it may be accepted by an individual. However, employees should accept no personal gifts unless declared to and approved by a member of their Service leadership team, or nominated authorising officer.

An exception is an expensive gift from a foreign visitor, which should generally be accepted since refusal might give offence. However, such gifts should not normally be accepted personally and should be treated in an appropriate fashion.

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The Council should retain ownership and safeguard the gifts or display them.

Gifts of alcohol, hampers of food or other articles which could be misinterpreted by the public or assume a more serious importance in any form of future enquiry or investigation, should not be accepted. There may, however, be limited circumstances when it would be appropriate to accept such gifts and to pass them on to a charity. In these cases the charity or recognised cause must be clearly and directly associated with the council or council family such as those run by the Lord Provost. In these cases the giver's approval should be sought.

### Canvassing of gifts and hospitality

Under no circumstances should employees make requests for gifts or hospitality from organisations or individuals for private charitable events or other employee interests. A private charitable event is one not clearly and directly associated with the council or council family, such as those run by the Lord Provost.

### Gifts and hospitality register

A register recording the receipt of gifts and hospitality should be maintained by each Executive Director.

Employees should notify a member of their Service leadership team, or nominated authorising officer of all offers, whether accepted, declined or used for charitable purpose. This must be recorded in the Gift and Hospitality register within 7 days of the offer. A member of your Service leadership team or nominated authorising officer must decide whether it is appropriate to accept the gift or hospitality or, if a gift, whether it is necessary to return it.

Clearly any gift returned to the sender should be accompanied by a courteously worded letter explaining why the gift or hospitality may not be accepted. The return of a gift or its presentation to charity must be recorded in the register. This is a very sensitive area and employees should operate on the basis that if they have any doubt then hospitality should be politely refused. In any case, the offer of or receipt of gifts or hospitality must always be reported to a member of your Service leadership team even if they are declined.

Attendance at civic events may not require declaration on the Gifts and Hospitality Register. Examples of civic events that would likely not require declaration include those organised and paid for by the Council Family such as those organised by the Lord Provost's office, e.g. the Annual Christmas Lunch for Senior Citizens.

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Where the costs of attendance at an event is met by a 3<sup>rd</sup> party then the event would be declarable as hospitality and must be recorded on the register accordingly.

However, officers must continue to exercise judgement for all cases. In particular, if a civic event invite is received and it is possible that potential sensitivities or suggestion of improper influence may arise, it should be declared on the Gifts and Hospitality Register, showing whether it was accepted (and authorised) or declined. In addition if the invitation could be perceived as lavish, e.g. a desirable event, acceptance should be avoided unless there is a clear benefit to the Council/Council Family, however all should be declared on the register whether accepted or not.

### **In summary, if an employee is offered gifts or hospitality s/he must:-**

Decide how to respond bearing in mind the guidance above whilst remembering that it is easy for the receipt of gifts, hospitality and entertainment expenses by employee to give rise to misconceptions.

There must be no scope for accusations of bribery and corruption. A member of your Service leadership team or nominated authorising officer will be able to advise if individuals are uncertain on how to proceed.

The Executive Director will report their register (detailing offers made to any employee in the Service) on the acceptance of gifts or hospitality (excluding small gifts) to the Executive Compliance Unit (Financial Services), who will maintain a record.

## Hospitality offered by employees

### **Within the Council premises**

It may be appropriate on occasions for employees to host a reception for a number of individuals and for refreshments to be provided from the Council budget. In such circumstances:

- the reception should be relevant to the business of the Council.
- receptions of a philanthropic nature must have a direct link to a charity or recognised cause clearly and directly associated with the council or council family, such as those run by the Lord Provost.
- where employees are involved, the Executive Director's approval should be obtained in writing.
- all reasonable steps should be taken to ensure that costs are kept to a minimum and that they are appropriate to the occasion.
- each Executive Director will keep a register with details of the purpose and aims of functions together with the guest

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lists for future reference as required. Such registers will be available for inspection by the Chief Executive or Executive Director of Finance

In summary all hospitality or gifts offered to a 3<sup>rd</sup> party out with the Council Family must be reasonable, authorised in advance through your service by the Executive Director and recorded accordingly on the departmental gifts and hospitality register. This register will be submitted to the Executive Compliance Unit on a quarterly basis for collation and reporting to the Council's Finance and Audit Scrutiny Committee.

Under no circumstances should employees use council premises or resources to run private charitable events. A private charitable event is one not clearly and directly associated with the council or council family such as those run by the Lord Provost.

### **Out with Council premises**

Wherever possible meetings between employees should take place in Council premises. In exceptional circumstances when such a meeting needs to be held over lunch or dinner or when some other form of hospitality is necessary all reasonable steps should be taken to ensure that costs are kept to a minimum. The same applies to meetings held with

individuals or representatives of outside bodies to discuss Council business over lunch or dinner.

Expenses claims for lunches, dinners and other similar hospitality must only be made by the nominated Senior Officer if the subject(s) under discussion relate to Council business not private or party political matters.

If there is any doubt about the propriety of a particular claim or whether or not a subject relates to private or party political matters, advice should be sought from the Chief Executive. When submitting a claim, employees should include details of the individual(s) for whom hospitality has been provided, together with the purpose and aim(s) of the meeting. These details will be kept in a register for future reference as required.

### **Further information**

If you have any questions on this matter speak with your line manager of Service HR.