

## GUIDANCE FOR GIFTS AND HOSPITALITY

### 1. Why do we have guidance on gifts and hospitality?

Your conduct as a local government employee should never lead anyone to question your interests or lead anyone to think that you have been influenced by gifts and hospitality. This is important because your own personal reputation and that of the Council could be seriously affected if you inappropriately accept a gift or hospitality. It is also a criminal offence to demand or accept a gift or reward in return for allowing yourself to be influenced as a local government employee. This is why the Council has guidance which applies to all staff on gifts and hospitality.

### 2. What is a gift?

A gift is any item or service that you receive free of charge. It also includes any goods or services which you personally are offered at a discounted rate or on terms not available to the general public. It does not include staff offers / discounts which are negotiated corporately. Common gifts include pens, diaries, calendars, mouse mats, books, flowers, bottles of wine, chocolates and other business stationery and promotional items.

### 3. What is hospitality?

Hospitality is the offer of food, drink, accommodation or entertainment or the opportunity to attend any cultural or sporting event on terms not available to the general public. Common hospitality includes meals, refreshments, and tickets for cultural or sporting events.

### 4. What gifts or hospitality can be accepted without any approval?

You can accept gifts and hospitality which are small gestures and have only a nominal value without the approval of your Assistant Director, Strategic Director or Joint Managing Director. Gifts and hospitality of this nature do not need to be recorded (see below for how gifts and hospitality are recorded).

**Gifts** which can be accepted include – calendars, diaries, mugs, mouse mats, small gifts given at the end of a courtesy visit e.g. to a factory, gifts/ tokens presented to you by foreign visitors where refusal would be regarded as inappropriate.

**Hospitality** which can be accepted includes – invitation to events or functions where you are representing the Council (e.g. opening ceremonies, trade shows, events where you are invited to speak, events hosted or

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sponsored by the Council), working lunches provided to enable the parties to continue to discuss business, refreshments offered in connection with any meeting you are attending on behalf of the Council, meals or refreshments funded by other public sector partners as part of joint working / collaboration, meals or refreshments provided as part of a ceremony or event to promote or launch a project or initiative supported by the Council.

**5. What things should I think about before I decide what to do?**

You should treat with caution any offer of gift or hospitality made to you personally. In particular, think about whether there is a benefit to the Council in you accepting, the scale, amount, frequency and source of the offer, the timing of the offer in relation to forthcoming Council decisions and whether accepting could be misinterpreted as a sign of your or the Council's support or favour.

**6. What gifts or hospitality need approval from your Assistant Director or above?**

Any gift or hospitality which is more than just a token should be politely refused or returned. You must have the prior written approval of your Assistant Director if you decide to accept something which has more than a nominal value. This should only be in exceptional circumstances.

If you or your Assistant Director has any concerns or doubts about the public perception that might be attached to accepting any gift or hospitality, then you must refer it to your Strategic Director or Joint Managing Director.

In the case of Assistant Directors, approval must be obtained from your relevant Joint Managing Director or (if you are in the People Group) your Strategic Director (who in turn would seek approval (for any gifts or hospitality offered to him or her) from the applicable Joint Managing Director). For any gifts or hospitality offered to a Joint Managing Director, approval must be obtained from the Leader of the Council.

**7. What gifts or hospitality should never be accepted?**

- Cash or monetary gifts. The rules dealing with gifts and legacies from service users can be found in the Employer and Employee Responsibilities document, which is available on <https://i.warwickshire.gov.uk/content/conduct/conduct>
- gifts or hospitality offered to your husband, wife, partner, family member or friend
- Gifts or hospitality from a tenderer in the immediate period before tenders are invited or during the tender process. If you are carrying out day long site visits as part of the tender process, you can accept the offer of lunch provided it is proportionate and not extravagant

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- Lavish or extravagant gifts or hospitality unconnected to your work such as holidays, overnight stays, air or rail travel, use of a company's own holiday accommodation, after dinner speaker celebrity events, expensive meals where work is not discussed, sporting or cultural events (e.g. theatre tickets, football match, golfing event). This applies even if done in your own time.

**8. What should I do if I receive a gift without warning at an event?**

If you estimate that the gift is more than just a token you should politely and courteously decline the gift. If you feel that it would not be appropriate to do this, you should refer the matter to your Assistant Director as soon as possible and let him/her decide what you should do with the gift. Your Assistant Director may decide to return the gift, may ask your Strategic Director or Joint Managing Director for a view, or may donate the gift to a worthy local cause.

**9. What should I do if I get offered a gift or hospitality?**

You must make sure that all offers you receive which are more than just a token are recorded.

**10. How are offers of gifts or hospitality recorded?**

There are two ways that offers are recorded:-

- If you are on Your HR then you should go to the gifts and hospitalities section (the link is on the Your HR Employee Self-Service homepage) and record the details there. This then generates an auto email to your line manager who then has to expressly forward your submission on to your Assistant Director for approval or refusal of the gift or hospitality. These details are therefore recorded in the electronic system.

- If you are not on Your HR then you should record the same details onto the Council's standard form for recording gifts and hospitality. Following approval or otherwise by your Assistant Director, you will need to scan and send via [HR Service Desk](#) (please flag that it relates to gifts and hospitalities), so that there is a centrally held record.

**11 Do I need to record offers that I decline?**

Yes – *all* offers of gifts or hospitality which are more than just a token must be recorded, even if you don't accept.

**12 What should I do if I am in doubt?**

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If in doubt always speak to your Assistant Director. It is your responsibility for following the Council's guidance on gifts and hospitality and for justifying why you chose to accept a gift or hospitality offered to you.

**13. What would happen to me if I didn't follow the guidance?**

The Council would take disciplinary action against you if you failed to follow the guidance. It is also a criminal offence to demand or accept a gift or reward in return for allowing yourself to be influenced as a local government employee. This means you could be prosecuted by the Police.

**Further support on gifts and hospitalities is available from your Group's Gifts and Hospitalities Champion.**

**Gifts and Hospitalities Champions  
(as at February 2018)**

Group	Champion
Communities Group	██████████ ██
People Group	██████████
Resources Group	██████████

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## The DO's and DON'T's

DO	DON'T
<ul style="list-style-type: none"> <li>Read and follow the guidance on gifts and hospitality</li> </ul>	<ul style="list-style-type: none"> <li>Accept any gifts or hospitality which are more than just a token without the approval of your Assistant Director, Strategic Director or Joint Managing Director as necessary</li> </ul>
<ul style="list-style-type: none"> <li>Seek advice from your Assistant Director, Strategic Director or Joint Managing Director if you are in doubt</li> </ul>	<ul style="list-style-type: none"> <li>Accept cash or monetary gifts</li> </ul>
<ul style="list-style-type: none"> <li>Record all offers of gifts and hospitality which are more than just a token, whether accepted or not. If you are on Your HR you make your record on this. If you are not on Your HR then you make your record by using the gifts and hospitalities form, available from the HR/Conduct page of the intranet (or via your manager if you don't have intranet access).</li> </ul>	<ul style="list-style-type: none"> <li>Accept gifts or hospitality in the immediate period before tenders are invited or during the tender process. Lunches during day long site visits are only acceptable if they are proportionate and are not extravagant</li> </ul>
<ul style="list-style-type: none"> <li>Treat with caution any gifts or hospitality offered to you and think very carefully before accepting anything</li> </ul>	<ul style="list-style-type: none"> <li>Accept a gift or hospitality as an inducement or reward</li> </ul>
<ul style="list-style-type: none"> <li>Take into account into account what the public's perception would be in deciding whether or not to accept a gift or hospitality</li> </ul>	<ul style="list-style-type: none"> <li>Accept gifts or hospitality unconnected to your work, even if the hospitality is taken in your own time</li> </ul>
<ul style="list-style-type: none"> <li>Consider whether the offer is proportionate in deciding whether or not to accept hospitality from an outside body</li> </ul>	<ul style="list-style-type: none"> <li>Accept a gift or hospitality which you or a member of the public would think is lavish, extravagant or excessive, even if the hospitality is taken in your own time</li> </ul>

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<ul style="list-style-type: none"> <li>• Err on the side of caution when deciding whether to accept a gift or hospitality. If the thought of the acceptance makes you uncomfortable, do not accept</li> </ul>	<ul style="list-style-type: none"> <li>• Accept gifts or hospitality offered to your husband, wife, partner, family member or friend</li> </ul>
<ul style="list-style-type: none"> <li>• Consider paying for yourself if offered any hospitality by a supplier or third party</li> </ul>	

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