

**Home ▶ Human Resources ▶ Staff Conduct ▶ Acceptance of Gifts, Hospitality and Rewards**

# Acceptance of Gifts, Hospitality and Rewards

Published: Monday, 26 March 2012 15:45

Written by Human Resources

## Management Guideline

### Introduction

The purpose of this code is to provide guidance to staff when offered gifts or hospitality from individuals or organisations. This is a sensitive area in the public sector, where it is of great importance that individuals and Council reputations for impartiality are maintained at all times. It is not possible in any code such as this to provide a fully comprehensive "list" of actions which are acceptable and those which are not. Rather the code is written to help officers adopt a questioning attitude towards the acceptance of gifts and hospitality, to ensure inappropriate offers are recognised and declined.

Where officers are in any doubt about a specific instance they should have no hesitation in approaching either the Head of Human Resources or the Head of Legal Services who will be pleased to give further advice and clarification on the code.

The National Code of Local Government Conduct to which Councillors (elected Members) are obliged by law to have regard gives advice to them on the acceptance of gifts and hospitality in paragraphs 27 to 29. Whilst applying specifically to elected Members these particular paragraphs are also relevant to paid officials within Local Government. The paragraphs are stated below:

- You should treat with extreme caution any offer or gift, favour or hospitality that is made to you personally. The person or organisation making the offer may be doing or seeking to do business with the Council or may be applying to the Council for planning permission or some other kind of decision.
- There are no hard and fast rules about the acceptance or refusal of hospitality or tokens of goodwill. For example, working lunches may be a proper way of doing business provided that they are approved by the Local Authority and that no extravagance is involved. Likewise it may be reasonable for a Member to represent the Council at a social function or event organised by outside persons or bodies.

- You are personally responsible for all decisions connected with the acceptance or offer of gifts of hospitality and for avoiding the risk of damage to public confidence in Local Government. The offer or receipt of gifts or invitations should always be reported to the appropriate senior officer of the Council.

## Further Guidance

### Gifts

The general rule must always be to refuse tactfully all such offers from organisations or persons who do or might provide work, goods or services to the Council or who need some decision from the Council (e.g. award of a contract etc).

Acceptance of a gift can compromise a reputation of both the officer and the Council particularly if it leads the donor to expect a reciprocal favour, or the recipient to feel any obligation to reciprocate or where the acceptance of such a gift might, in the event of the donor receiving a service or grant from the council, being awarded a contract by the Council or otherwise entering into a contractual or business relationship with the Council lead to the suggestion that the donor has in some way benefited from having made the gift. It is important to remember that even where there is no direct link between the acceptance of a gift or of hospitality with any of the events listed above that a lot of damage can be done through the application of inference. In the interest of fairness and to ensure that officers are seen to behave in a manner consistent with the Council's aims of impartiality towards its customers and those with whom the Council does business, all offers of gifts should be politely but definitely refused.

In those circumstances where gifts are received, efforts should be made to return the gift and if this proves to be impracticable, details of the gifts should be recorded and the gifts directed to the Chief Executive for disposal.

Exceptions from this general rule would include modest gifts of a promotional character e.g. calendars, diaries, articles for office use or a small gift made during a courtesy visit to a firm.

It is not possible to be precise as to what constitutes an "acceptable" exception as opposed to an "unacceptable" gift, but one indication is that the gift would have a modest financial value.

### Hospitality

As with gifts, the acceptance of hospitality is very much a matter of judgement for the individual officer. It has to be acknowledged that contacts established at a social level can often be helpful in pursuing the Council's interests and, indeed, officers are often invited to social functions as representatives of the Council. What is important is to avoid any suggestion of improper influence or giving others the opportunity reasonably to impute such influence. Particular care should be taken in considering hospitality from organisations or persons who do or might provide services to the Council or are seeking a decision from the Council. The level of hospitality is also relevant particularly when it is considered that some corporate hospitality packages (which can include meals, travel, event tickets and

accommodation) can be very expensive.

The following checklist of questions should help to decide whether an offer of hospitality should be accepted or tactfully rejected:

- Is the donor, or event, significant in the community or in the Council's area?
- Are you expected to attend because of your position in the Council?
- Will the event be attended by others of a similar standing in the community or on the Council?
- What is the motivation behind the invitation?
- Would acceptance of the invitation place you under pressure in relation to any current or future issue involving the Council?
- Would the event in any way conflict with the Council's values, objectives or policies?
- Could you justify the decision to the Council, public and media?
- Is the extent of the hospitality or the nature of the gift reasonable and appropriate?
- How will you respond to the hospitality?
- Are you comfortable with the decision which you have taken?

Hospitality, if acceptable should only be on a scale appropriate to the circumstances incidental to the occasion and officers should always be aware of and consider the possible adverse criticism of any acceptance.

#### Improper Rewards

You are not entitled to retain any fee, commission or other payment collected or received except with the consent of your Head of Service or in the case of a Director the Chief Executive or in the case of the latter, the Provost and the Leader of the Council.

Should you receive a fee commission or other payment from a party who is, or may expect to be under contract with the Council for the provision of any works, goods or services you render yourself liable to formal disciplinary action.

## Staff Conduct

- [Acceptance of Gifts, Hospitality and Rewards](#)
- [Alcohol in the Workplace](#)
- [Capability Policy](#)
- [Capability Procedure](#)
- [Dignity at Work Policy](#)
- [Dignity at Work Procedure](#)
- [Disciplinary Policy](#)

- Disciplinary Procedures
- Email and Internet Use Policy
- Grievance Policy
- Grievance Procedure
- National Code of Conduct
- Reporting Concerns at Work
- Safeguarding Official Information