

# **Guidance for Members on Hospitality and Gifts**

Approved by the County Council  
at its meeting on 11th May 2001  
and containing all subsequent approved  
amendments up to 18th April 2008

## **Part 5 Section 5**

### **Guidance for Members on Hospitality and Gifts**

#### **1. Introduction**

- 1.1 This guidance is ancillary to guidance in the Code of Conduct and explanatory text.
- 1.2 Paragraph 41 of the explanatory text accompanying the Code advises that members should treat with extreme caution any “offer or gift, favour or hospitality” that is made to them personally.
- 1.3 People or bodies may have contractual relationships with the County Council which they may seek to influence, or which it might be suspected they were attempting to influence, even if the gift was offered innocently. The same would apply within contexts such as applications for planning permission.
- 1.4 There are no hard and fast rules, but cites as acceptable a working lunch which is approved by the authority and where there is no extravagance, or representing the council at a social function or event organised by an outside body or person.
- 1.5 Members are personally responsible for all decisions connected with the acceptance or offer of gifts or hospitality and for avoiding the risk of damage to public confidence in local government. Paragraph 17.1 of the Code provides that the offer or receipt of gifts or invitations should always be reported to the appropriate senior officer for the council.
- 1.6 Members should avoid impropriety and the appearance of it. Members should never use their position to benefit themselves, their family or friends with any financial benefits, preferential treatment or other advantage. On hospitality, members should record all gifts and hospitality received in connection with membership of the County Council and, in particular, should not accept gifts or hospitality that might reasonably be thought to influence or be intended to influence the members’ trust or bring discredit on the County Council.

#### **2. General Guidance on Gifts and Hospitality**

- When to accept hospitality is a matter of judgement for each individual member.
- It would be wrong to produce an atmosphere where even members acting in a representative capacity for the council refuse all invitations for social involvement with those who have or who seem to have business or other dealings with the County Council. Contacts established through a social environment are often helpful to the County Council’s interests. Members have as a key part of their role the establishment of the standing of the County Council in the community.

- Any suggestion of improper influence or giving others the opportunity reasonably to impute improper influence must be avoided.
- Extravagance can be damaging to the reputation of the authority.

### 3. **Registration**

- The Head of Democratic Services maintains a register of hospitality and gifts.
- Whenever members are offered hospitality or a gift not officially arranged through the authority but in the broad context of their role as a councillor, they should ensure that the register is completed.
- The register should be completed whether or not the gift or hospitality in question is accepted.
- The only exceptions to registration would be very small gifts in kind, e.g. a diary or calendar.
- The Head of Democratic Services will make regular checks to ensure that the register is properly completed and prepare a short report for the Standards Committee at the last meeting of the Council year.

### 4. **Examples of what is Acceptable/Unacceptable**

- 4.1 The following general guidelines are examples only, which will assist members in exercising their discretion appropriately.

### 5. **Acceptable**

- Working lunch of a modest standard provided to allow a member to discuss matters in which he is involved on behalf of the authority or which arise out of his work as a "constituency" member.

[If there is a series of meetings requiring hospitality, the County Council and the other party should alternate on an approximately equal basis.]

- An invitation to a professional society dinner or one associated with a body with whom the elected member may have been working in his capacity as such. For example, Royal Garden parties or the annual dinner of the Magistrates' Association.
- An invitation to join other guests in West Sussex or neighbouring counties as the County Council representative at a jubilee or other special occasion for a statutory, charitable or other body (including commercial organisation) with whom the member may expect to work in their role as such.

### 6. **Unacceptable**

- Paid holiday or leisure travel or accommodation.

- Tickets for premium events (e.g. Wimbledon) which are offered on a personal basis.
- Use of an individual or organisation's flat or hotel.
- Discounted services, material, labour etc from contractors or suppliers which are not normally equally available on the same basis to others not having an actual or potential business link with them. (Members should not procure or encourage any such provision to family, friends or business associates.) Members should consider it appropriate to get more than one quote on private works, e.g. on their own house, if a supplier to the County Council is involved.
- Non-reciprocal invitations to high-profile or prestige events, particularly outside West Sussex, unless specifically authorised on behalf of the County Council.
- Cash gifts.
- Significant gifts in kind (e.g. a case of whisky but not a company calendar or diary).

## **7. Additional Points**

- An important criterion in exercising judgement as to what is acceptable is what interpretation those in the community or the press might reasonably put upon acceptance.
- Repeated offers of gifts or hospitality from one person, firm or organisation made by repetition render what would otherwise be acceptable/unacceptable.
- Particular care should be taken where a member has any involvement in making a decision for placement of a contract, or for any decision carrying value for the person or organisation offering the gift or hospitality (e.g. the granting of planning permission), or is involved in a Scrutiny examination which could have an impact on the person or the outcome of the organisation concerned (e.g. from a gravel digging company during examination of a Waste Plan).
- If you are offered a gift which you do not think you should accept personally but you feel is well intentioned, and particularly if it may cause offence if refused, you have the option, with the agreement of the donor, of passing it to the Chairman of the County Council, who may place it with an appropriate charity. You should still record the offer and the action taken.

## **8. Advice**

- 8.1 If a member is in any doubt about the propriety of accepting a particular offer of a gift or hospitality, they should consult the Head of Democratic Services as Monitoring Officer before accepting.

