

TENBURY TOWN COUNCIL



GIFTS AND HOSPITALITY POLICY

1.0 INTRODUCTION

- 1.1. This policy provides guidance for all Councillors and Officers of the Town Council when considering whether to accept gifts or hospitality from individuals or organisations, and if accepting such then how to record this correctly.

2.0 CODE OF CONDUCT

- 2.1. When Councillors take their Declaration and Acceptance of Office they acknowledge in writing that they will comply with the adopted Code of Conduct. It is important that Councillors understand the Code of Conduct, a copy of this has been given to all.

3.0 GENERAL CAUTION

- 3.1. Treat with extreme caution any offer or gift, favour or hospitality that is made to you personally which may be possibly perceived to be in connection with your position as an Officer or Councillor.
- 3.2. Your personal reputation and that of Tenbury Town Council can be seriously jeopardised by the inappropriate acceptance of gifts or hospitality.
- 3.3. The acceptance of gifts and hospitality is not always unlawful or inappropriate. The decision for you in any case is whether it is appropriate to accept any gift or hospitality that might be offered to you, having regard to how it might be perceived.
- 3.4. No hard and fast rules can be laid down to cover every circumstance as to what is appropriate or inappropriate. This policy offers general principles to enable you to make your own decision. If you are in doubt speak to the Town Clerk directly.

4.0 CRIMINAL LAW

- 4.1. It is a criminal offence corruptly to solicit or receive any gift, reward or advantage as an inducement to doing or forbearing to do anything in respect of any transaction involving Tenbury Town Council.
- 4.2. The onus would be on the individual to disprove corruption in relation to a gift from a person holding or seeking to obtain a contract from Tenbury Town Council.

5.0 LIMITS OF GUIDANCE

- 5.1. This policy does not apply to:

- a. Gifts and hospitality, you may receive from family and friends that are not related to you position as an Officer or Councillor. You should however question any such gift or hospitality offered from an unusual source.
- b. The acceptance of facilities or hospitality provided to you by Tenbury Town Council
- c. Gifts given to Tenbury Town Council that you accept formally on the Council's behalf and are retained by the Council and not by you personally.

6.0 MEANING OF GIFTS AND HOSPITALITY

- 6.1. The expressions 'gifts' and 'hospitality' have wide meanings and no conclusive definition is possible.
- 6.2. Gifts and hospitality include:
 - a. The free gift of any goods or services;
 - b. The opportunity to acquire any goods and services at a discount or at terms not available to the general public;
 - c. The opportunity to obtain goods and services not available to the general public;
 - d. The offer of food, drink, accommodation or entertainment or the opportunity to attend any cultural or sporting event.
- 6.3. Common gifts include pens, diaries, calendars and other business stationery, books, flowers and bouquets. You should be cautious when purchasing anything, when additional services, privileges or advantages are offered, which might be related to your position as an Officer or Councillor of Tenbury Town Council.

7.0 APPROPRIATE GIFTS AND HOSPITALITY

- 7.1. There are some circumstances where you may accept gifts and hospitality as being in the normal course of your duties as Officer or Councillor:
 - a. Civic hospitality provided by another public authority
 - b. Normal refreshment in connection with any meeting in the course of your work as an Officer or Councillor (e.g. tea, coffee and other normal beverages and biscuits)

- c. Tickets for sporting, cultural and entertainment events that are sponsored or promoted by Tenbury Town Council or bodies to which you have been appointed by Tenbury Town Council, and the tickets are offered in relation to that sponsorship or promotion
- d. Small low value gifts (below £15.00 such as pens, calendars, diaries, flowers and other mementos and tokens)
- e. Drinks and other modest refreshments in the normal course of socialising arising consequentially from Town Council business (e.g. inclusion in around of drinks after a meeting)
- f. Souvenirs and gifts from other public bodies intended as personal gifts (e.g. arising from twin-town and other civic events)
- g. Modest meal provided as a matter of courtesy at a meeting place.

8.0 PRINCIPLES TO APPLY IN RELATION TO GIFTS AND HOSPITALITY

8.1. In deciding whether it is appropriate to accept any gift and hospitality you must apply the following principles:

- a. Do not accept a gift or hospitality as an inducement or reward for anything you do as an Officer or Councillor. If you have any suspicion that the motive behind the gift or hospitality is an inducement or reward you must decline.
- b. "Reward" includes remuneration, reimbursement and fee, offered, paid, promised or implied.
- c. Do not accept a gift or hospitality of significant value or whose value is excessive in the circumstances.
- d. Do not accept a gift or hospitality if acceptance might be open to misinterpretation. Such circumstances will include gifts and hospitality:
 - From parties involved with Tenbury Town Council in a competitive tendering or other procurement process;
 - From applicants for planning permission and other applications for licences, consents and approvals in which Tenbury Town Council has an involvement;
 - From applicants for grants, including voluntary bodies and other organisations applying for public funding from Tenbury Town Council;

- From parties in legal proceedings with Tenbury Town Council.

8.2. Do not accept a gift or hospitality if you believe it will put you under any obligation to the provider as a consequence.

8.3. Do not solicit any gift or hospitality and avoid giving any perception of so doing.

9.0 GIFTS RECEIVED AND DONATED TO THE MAYOR'S CHARITY

9.1. Councillors may on receiving gifts of value pass them to the Mayor in relation to a charity fund rather than retaining them personally.

9.2. Councillors should indicate this intention to the provider and should register this clearly.

10.0 REGISTRATION OF GIFTS AND HOSPITALITY

10.1. Officers and Members are required to notify the Town Clerk of offers or receipt of gifts and hospitality of more than £15.00.

10.2. Councillors and Officers should complete and return to the Town Clerk the 'Gift and Hospitality Form' and return it to the Town Clerk.

10.3. The Town Clerk shall keep a record thereof.

11.0 REPORTING OF INAPPROPRIATE GIFTS AND HOSPITALITY OFFERED

11.1. It is a criminal offence for a person corruptly to give or offer any gift, reward or advantage as an inducement or reward to you for doing or forbearing to do anything as an Officer or Councillor of Tenbury Town Council

11.2. You must immediately report to the Town Clerk of Tenbury Town Council any circumstances where an inappropriate gift or hospitality has been offered to you.

11.3. You may thereafter be required to assist the Police in providing evidence.

TENBURY TOWN COUNCIL

DECLARATION OF GIFTS AND HOSPITALITY

| | |
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| Your Full Name | |
| Name of person or organisation from whom the gift or hospitality was received: | |
| Date gift or hospitality was received: | |
| Nature of gift and hospitality: | |
| When and where did you receive the gift or hospitality? | |
| What is the estimated value or cost? | |

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| Any other comments: | |
| Signature: | |
| Date: | |
| Signature of Town Clerk: Date Notification Received: | |