



Title of Report:	Draft Gifts and Hospitality Policy for Elected Members and Employees
Committee Report Submitted To:	Corporate Policy and Resources Committee
Date of Meeting:	22nd February 2022
For Decision or For Information	For Decision

Linkage to Council Strategy (2021-2025)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them.
Lead Officer	Democratic and Central Services Manager

Budgetary Considerations	
Cost of Proposal	
Included in Current Year Estimates	YES/NO
Capital/Revenue	-
Code	-
Staffing Costs	

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date: October 2021
	EQIA Required and Completed:	Yes/No	Date: N/A
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

1.0 Purpose of Report

- 1.1 To present a Gifts and Hospitality Policy for Elected Members and Officers for approval.

2.0 Background

2.1 Draft Gifts and Hospitality Policy

- 2.2 In 2017-2018 the audit of Corporate Governance recommended: Priority Rating 3, that *a Gifts and Hospitality Policy should be put in place or a monetary limit for accepting gifts or hospitality should be defined and communicated to all staff and elected members.*

2.3 Consultation

- 2.4 The draft Gifts and Hospitality Policy was presented to Members at the Corporate Policy and Resources Committee Meeting in November 2021 for consideration and consultation. Comments were requested by 31st December 2021. No comments were received.
- 2.5 The draft Policy has been considered by the Senior Leadership Team, and the Trade Unions through the Action Group and Joint Consultative and Negotiating Committee (JCNC) and no amendments to the draft presented were made.
- 2.6 The policy has been equality screened and no significant detrimental impacts were noted.

3.0 Recommendation

- 3.1 **It is recommended** that the Draft Gifts and Hospitality Policy for Elected Members and Employees is approved.



Causeway Coast & Glens Borough Council

Gifts & Hospitality Policy

2021

Document Control

No	Date Issued	Author	Status
0.1	9/9/2021	P Donaghy	Internal Draft 1
0.2	19/10/2021	P Donaghy	Internal Draft 2

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Policy Statement

1. All Council Officers and Elected Members are expected to observe the highest standards of conduct and should at all times be guided by the Code of Conduct. The Council recognises that contractors, suppliers and other customers may extend from time to time offers of gifts and hospitality to Employees and Elected Members for our services. The Council also recognises that employees and members have a responsibility, in the interests of public confidence, to exhibit high standards of propriety. Elected Members and employees are advised that gifts are not accepted unless there are compelling reasons to the contrary.
2. In accepting any gift or hospitality, the individual and, if applicable, his or her line manager, must exercise judgement about how acceptance might be perceived, recognising that what at first sight might appear to be reasonable might nevertheless become the subject of unreasonable comment or criticism by external parties. The judgement made therefore needs to include an assessment as to whether the benefits gained by the Council through the acceptance of a gift of hospitality might be outweighed by adverse third party criticism, even when that criticism is not reasonable.
3. The Council requires that its employees and Elected Members should not use their official position to receive gifts, hospitality or benefit of any kind which might reasonably be seen to compromise the Council's position or the employee's personal judgment and integrity.

4. The guidance set out in this document was prepared with reference to:

Northern Ireland Northern Ireland Civil Service best practice as set out in the Department of Finance and Personnel DAO DFP 10/06 'Acceptance and Provision of Gifts and Hospitality'. The Dear Accounting Officer letter was revised again in 2009.

The Revised Code of Conduct for Local Government Employees adopted by Council in April 2021.

The Northern Ireland Local Government Code of Conduct for Councillors.

5. The purpose of the policy is to:-

- Outline for all Council Employees and Elected Members the guidelines and fundamental principles for the provision and acceptance of gifts and hospitality;
- Provide advice on how hospitality either provided by or accepted by Council Employees and Elected Members should be approved and recorded;

- Outline roles and responsibilities for Employees and Elected Members at all levels within the Council.

Aims of this Policy

6. The main aims of the Gifts and Hospitality Policy are to:

- Ensure consistency of approach when dealing with gifts and hospitality;
- Ensure compliance with Council policy and procedures including Codes of Conduct, the Anti-Fraud, Bribery and Corruption Policy.
- Ensure compliance with the Seven Principles of Public Life and the Northern Ireland Assembly Five Principles of Conduct. (Appendix 1)
- Establish guidance for all Employees and Elected Members to follow to ensure that the Council can demonstrate that no undue influence has been applied by an external organisation dealing with the Council; and
- Protect Council Officers and Elected Members from criticism and misunderstanding and to protect the Council from allegations of impropriety. Compliance with the policy will help the Council demonstrate good governance and accountability.

7. In addition to complying with Council policy and guidance, where officers belong to a professional body, they should be guided by any rules of professional conduct set by that professional body.

Scope of the Policy

8. The fundamental principle is that no member of Employees or Elected Member should do anything which might give rise to the impression that he or she has been, or might be influenced by a gift or hospitality, or other consideration to show bias for or against any person or organisation while carrying out official duties.

9. All Council Employees and Elected Members must therefore apply the following principles in the conduct of their employment:

- they must not accept gifts, hospitality or benefits of any kind from a third party which might be perceived as compromising their personal judgment or integrity;
- they must not make use of their official position to further their private interests or those of others;
- they must base all purchasing decisions and negotiations of contracts solely on achieving best value for money for the ratepayer;
- they must refer to their line manager when faced with a situation for which there is no adequate guidance;

- if in any doubt, they must seek advice from their line manager, or the Democratic and Central Services Manager. In the case of Elected Members advice can be sought from the Chief Executive.
10. Officers who fail to comply with this policy and guidance may be subject to disciplinary action. Elected Members who fail to comply with this policy may be investigated by the NI Ombudsman.
 11. The policy extends to include agency, secondees, consultants and contractors who may be working on Council's behalf. The receipt of gifts covered by this policy extends to immediate family of employees.

Acceptance of Gifts and Hospitality Offered

Employees receiving hospitality

12. Employees must exercise careful judgement when accepting hospitality and if there a genuine need to impart information or represent the Council. All hospitality received in excess of **£15** should be recorded by the recipient on the Gifts, Hospitality and Interests form for Employees (Appendix 2) which must be signed and sent to Corporate Services for recording. Information must also be recorded in instances of decline of hospitality. The form must be sent within 30 days of receipt.
13. Invitations to conferences, formal lunches or dinners should be carefully considered and recorded on the register. Attendance at or invitations to events should also be also be carefully considered to ensure there is no political involvement either directly or indirectly.
14. Attendance at training courses, conferences and workshops outside the Council where hospitality is provided as part of the booking fee is acceptable and does not need to be recorded on the register.
15. Hospitality which is not acceptable would include invitations to frequent social functions where there is no direct link to official business in a professional capacity.
16. When deciding whether to accept hospitality, the following should be considered:
 - the reason for accepting the hospitality;
 - whether acceptance could be satisfactorily defended to ratepayers;
 - the value / scale of the hospitality (frequent, lavish, prolonged);

- the obligation that acceptance might appear to place on an Officer and Elected Members or the Council in terms of reciprocal hospitality, business dealings etc;
 - whether it provides benefits to the Council, which outweigh the risk of possible misrepresentation of the hospitality; and
 - the timing of the offer, bearing in mind decisions which the Council may be in the process of taking, affecting the provider of the hospitality, e.g. procurement, grant award, enforcement of regulations etc.
17. In the case of gifts, it is recognised that refusal of an invitation or offer of hospitality may cause embarrassment or appear discourteous. Refusal of the gift/hospitality should also be recorded.

Employees and Elected Members Receiving Gifts

18. All Council Employees and Elected Members should conduct themselves with honesty and impartiality in the exercise of their duties. In this field, perception is as important as reality.
19. It is not possible to be precise as what constitutes an “acceptable” as opposed to “unacceptable” gift. Most gifts received of this type will have a modest pecuniary value and may, indeed, have no significant pecuniary value to another party.
20. Trade or discount cards, which permit employees and Elected Members to personally purchase goods or services at reduced cost, are also classified as gifts, and should therefore be refused and/or returned. Gifts of cash should not be accepted from private individuals or organisations that provide services or goods to, or are customers of, the Council. The Council is aware of the practice throughout the borough of some ratepayers giving small monetary or other tokens of appreciation to some Employees at certain times of the year e.g. Christmas. The Council does not wish to suspend this long-standing practice, causing embarrassment to Employees and ratepayers; however Employees must in all circumstances satisfy themselves that such gifts do not compromise their integrity, result in them showing any bias and ultimately bring the Council into disrepute. If Employees believe that accepting such gifts would compromise them they should tactfully and politely refuse the gift.
21. Employees and Elected Members should not accept significant personal gifts from contractors or members of the public and outside suppliers where this could be perceived as in anyway compromising the professional relationship. Gifts given as a ‘thank you’ over the estimated value of **£15** should be recorded by the recipient on the Gifts, Hospitality and Interests Form for Employees (Appendix 3) which must be signed and sent to the Corporate

Services for recording. Elected Members should record receipt of gifts estimated over **£15** in on the Gifts and Hospitality form for Members (Appendix 2) and send to Corporate Services for recording on the register. Such items as pens, diaries, chocolates can be retained by the employee and not recorded on the register where the value is estimated at under **£15**.

22. Employees should also consider that smaller repeated gifts possibly under the £15 limit, could have a cumulative trigger eg £100. If this is the case this should be declared and nothing further should be accepted over this cumulative value.
23. When considering whether or not to accept gifts employees and Elected Members should be sensitive as to timing in relation to decisions which the Council may be taking e.g. Tender Process or funding applications and no hospitality or gifts should be accepted 3 months before tender advert and after tender award in these circumstances. This will ensure no criticism can be made regarding bias to a particular company or supplier. The Elected Members Code of Conduct states that declarations should be made within 28 days of receipt.

The Acceptance of Gifts and Hospitality

24. A table at Appendix 4 provides details for acceptance of gifts and hospitality offered to Council Employees and Elected Members.
25. If an Employee or Elected Member is unsure as to whether to accept or reject an offer of hospitality or a gift they should seek advice and guidance from their Line Manager or the Democratic and Central Services Manager. In the case of an Elected Member advice can be sought from the Chief Executive.

Provision of Gifts and Hospitality

Justification for providing hospitality

26. The primary consideration for the justification of expenditure on gifts and hospitality is that the gift or hospitality should be in the direct interest of the Council. The scale of the gift or hospitality provided should be proportionate to the needs of the occasion and the status and number of guests.

External Hospitality

27. The Council will normally meet expenditure for the provision of hospitality to visitors which has been given prior approval and should not generally exceed **£20** per head.
28. Where an outside facilitator is requested to provide training for Council Employees and Elected Members, hospitality may be provided. Costs should be kept to a minimum and generally should not exceed the subsistence rates set. Caterers should be booked in accordance with Council procedures.

Mayor's Business

29. The Mayor's hospitality is not governed by this policy. Mayor's hospitality is covered with Council's Standing Orders.

Involvement and attendance at external hospitality events

30. In 2018 Council adopted a Business Case to be used for Council's involvement and attendance at external hospitality events. The Business Case is attached at Appendix 5. It is not required for events / activities which are at no cost to Council, and as such are recorded in the Hospitality Register. This Short Business Case is not relevant for attendance at meetings, events and activities which form part of routine business, which may or may not include hospitality.

Gifts and Hospitality Register

31. Democratic Services will maintain a register to record all offers and acceptance of gifts and hospitality for Elected Members and Employees. The purpose of the register is to counter any possible accusations or suspicions of breaches of Codes of Conduct by Employees or Elected Members. Completed forms will be submitted to Corporate Services to file the relevant details and update the register.
32. Registers will be maintained and updated on a regular basis and subject to scrutiny and periodic reviews by internal and external Audit. The Elected Members' Registers is also open to inspection by the public and other organisations on request.

Roles and Responsibilities

33. Elected Members should:

- familiarise themselves with the Code of Conduct for Elected Members, and any updates that are issued;
 - comply with this policy and guidance;
 - consult with the Chief Executive if in doubt as to the application of this policy and guidance; and complete the documentation for the register of gifts and hospitality.
34. Officers, agency, secondees, consultants and contractors who may be working on Council's behalf. should:
- familiarise themselves with the Code of Conduct for Council Employees, and any updates that are issued;
 - comply with this policy and guidance;
 - consult with their line manager or Democratic and Central Services Manager, if in doubt as to the application of this policy and guidance; and complete the documentation for the register of gifts and hospitality.
35. Directors should:
- Ensure that employees, agency, secondees, consultants and contractors who may be working on Council's behalf are completing the register for gifts and hospitality; and carefully consider and where appropriate, advise on the acceptance and provision of gifts and hospitality in line with policy and guidance.

Policy Review Date

36. The policy will be reviewed biannually or sooner to ensure it remains reflective of legislative developments.

Equality Screening

37. Having screened the Gifts and Hospitality Policy the decision is that it should not be subject to an Equality Impact Assessment (EQIA) with no mitigating measures required.

Information Governance

38. Personal information provided to Council regarding declarations in relation to gifts and hospitality will be securely processed and held in accordance with Council's data protection obligations. Please refer to Council's Privacy

Statement (<https://www.causewaycoastandglens.gov.uk/footer-information/privacy-statement>) for further information.

Related Policies

- Anti-Fraud Bribery and Corruption Policy
- Raising Concerns Policy

INTERNAL DRAFT

The Seven Principles of Public Life

The Northern Ireland Assembly Five Principles of Conduct

The Seven Principles of Public Life

The Seven Principles of Public Life articulated by the Nolan Committee

Selflessness - Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership - Holders of public office should promote and support these principles by leadership and example.

The Northern Ireland Assembly Five Principles of Conduct

Public Duty – A duty to uphold the law and to act on all occasions in accordance with the public trust placed in them; act to the interests of the community as a whole.

Equality - You should promote equality of opportunity and not discriminate against any person by treating people with respect regardless of race, age, religion, gender, sexual orientation, disability, political opinion, marital status and whether or not a person has dependents.

Promoting Good Relations – You should act in a way that is conducive to promoting good relations by providing a positive example for the wider community to follow and that seeks to promote a culture of respect, equity and trust and embrace diversity in all its forms.

Respect - It is acknowledged that the exchange of ideas and opinions on policies may be robust but this should be kept in context and not extend to individuals being subjected to unreasonable and excessive personal attack.

Good Working Relationships - You should work responsibly with others for the benefit of the whole community. You must treat others and with courtesy and respect. You must abide by your council's standing orders and should promote an effective working environment within your council.

Gifts and Hospitality Form for Elected Members

Elected Member Name	Date Gift/ Hospitality Offered	Company/ Organisation/Individual offering the gift	Description of Gift / Hospitality	Reason for Gift/ Hospitality	Gift accepted Yes / No

Elected Member Signature: _____ Date: _____

Elected Member Print Name: _____ Date: _____

Please return to xxxx or by hard copy to Corporate Services, Cloonavin. Please retain a copy of this form for your recor

Gifts, Hospitality and Interest Form for Employees

<p>Gifts, Hospitality and Interests Form (Gifts, Hospitality, Personal, Financial/Other) for Employees</p>	
<p>To be completed by the employee making the declaration</p>	
<p>Employee's Name:</p>	
<p>Job Title:</p>	
<p>Department:</p>	
<p>Section/Team:</p>	
<p>Type of Declaration:</p>	<p>Other Employment <input type="checkbox"/></p> <p>Close Personal Relationship <input type="checkbox"/></p> <p>Gift and/or Hospitality <input type="checkbox"/></p> <p>Financial/Pecuniary Interest <input type="checkbox"/></p> <p>Business Interest <input type="checkbox"/></p> <p>Personal / Other Interest <input type="checkbox"/></p>
<p>Please provide as much detail as possible in relation to your declaration below.</p>	
<p>If the declaration relates to other employment:</p> <p>In the case of other employment, please include details relating to who the other employer will be, the nature of the role (including duties and responsibilities) and the times/days that you are proposing to work.</p>	

Appendix 3

If the declaration relates to a gift or hospitality:					
In the case of gifts and hospitality, please complete the table below.					
Name	Gift/Hospitality offered	Company/ Organisation/ Individual offering the gift	Description of Gift/Hospitality	Reason for Gift/Hospitality	Gift accepted Yes/No (please specify)
If the declaration relates to a close personal relationship as described in the Code of Conduct:					
In the case of a close personal relationship please provide details.					
If the declaration relates to a financial/pecuniary or other interest please provide details below.					
Please sign and date and forward to your Line Manager for signature.					
Employee Signature		Name:			
		Date:			

Appendix 3

Line Manager Signature		Name:	
		Date:	
<p>The details from this declaration will now be recorded on the Register of Gifts, Hospitality, Personal, Business, Financial or Other Interests.</p> <p>A copy of the completed form should be sent to xxxxx. Please retain a copy for your records.</p>			

Additional guidance on accepting gifts or hospitality

Gift/Hospitality/offered	Accept?	Further Action
Modest conventional hospitality (e.g. Working Lunch).	Yes	None Employees should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality, for instance during a tendering period of a contract for which the provider may be bidding.
More formal lunch or dinner, by prior invitation.	Yes	Record in Register of Gifts and Hospitality. A check should be made in advance to ensure that the Council will not be over-represented at the function concerned.
Hospitality offered to a team.	Yes	Record in Register of Gifts and Hospitality.
Commemorative event or trade promotion organised by contractor, consultant or supplier with a meal.	Yes	Record in Register of Gifts and Hospitality.
Annual dinner of Professional Institute or Association. Where officer is a guest of the Institute or Association; and Where officer is the guest of a particular consultant, contractor or supplier.	Yes Yes Yes	Record in Register of Gifts and Hospitality. Employees should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality, for instance during a tendering period of a contract for which the provider may be bidding.
Cultural or sporting events as a guest.	No	Should be refused or returned. Record in Register of Gifts and Hospitality.
Overseas visits to inspect manufacturers' products.	Yes	Record in Register of Gifts and Hospitality
Occasional seasonal or modest gifts, (e.g. company calendars, diaries, inexpensive pens or stationery sets. (Value should not exceed £15).	Yes	None
Expensive gifts (Value of more than £15, including gifts of lottery tickets, cash, gift vouchers or gift cheques)	No	Record in Register of Gifts and Hospitality

Appendix 4

Gift/Hospitality/offered	Accept?	Further Action
Trade or Discount Cards, or Air Miles through which an individual officer might personally benefit from the purchase of goods or services at a reduced rate.	No	Record in Register of Gifts and Hospitality
Gifts of alcohol from any source, including a contractor, or where a contractor relationship is being contemplated.	Yes	Record in Register of Gifts and Hospitality. Employees should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality, for instance during a tendering period of a contract for which the provider may be bidding.

Business case for attendance and involvement at external hospitality activities & events

Event name			
Concept overview	Succinctly describe the engagement event.		
Link to Corporate Plan	Reference strategic priority / objectives.		
Benefits of attending this event	What outcomes are anticipated to be achieved?		
Budget code	Who will pay?		
Target users / customers / partners?	Who will benefit most from attending? Detail rationale for selecting / configuring the attendance.		
Benefits of attending this event	What outcomes are anticipated to be achieved?		
Other options	Are there alternative ways to engage?		
Costs	<ul style="list-style-type: none"> • Event. • Accommodation. • Travel / subsistence. 		
Communication	<ul style="list-style-type: none"> • Promotion of the event? • Promotion of Council's involvement in the event? • Report back afterward. 		
Attendance	<ul style="list-style-type: none"> • Elected Members? • Officers? • External attendance - target users / customers / partners. 		
Risks	<ul style="list-style-type: none"> • Security. • Health & Safety. • Data protection. • Equality / disability. • Environmental. • Staffing burden. 		
Is it appropriate use of public money?	<ul style="list-style-type: none"> • Political fundraising event? • Party political event or hosted by any one political party? • Sound rationale for attendance / involvement. 		
Director approval	Spend up to £500	Approved / not approved	Date:
SMT approval	Spend over £500	Approved / not approved	Date:
Council approval	Spend over £2,000	Approved / not approved	Date:

Next steps	Rework / additional information	
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