

# Rhydypenau Primary School

*"Aiming High"*



## Gifts & Hospitality Policy



## DEVELOPMENT, MONITORING & REVIEW OF THIS POLICY

The Headteacher monitors the effectiveness of this policy on a regular basis. She also reports to the governing body on the effectiveness of the policy and, if necessary, makes recommendations for further improvements.

## SCHEDULE FOR DEVELOPMENT, MONITORING & REVIEW

This policy was agreed by teachers:	
This policy was agreed and adopted by the Governing Body:	Nov 2012
The implementation of this policy will be reviewed by:	Nicola Hammond
This policy will be reviewed:	Annually
This policy was last reviewed:	Autumn Term 2022
This policy is due to be reviewed:	Autumn Term 2023
Chair of Governors' Signature:	
Headteacher's Signature:	



# GUIDANCE ON HOSPITALITY, GIFTS AND OTHER BENEFITS RECEIVED BY OFFICERS FROM EXTERNAL ORGANISATIONS, BUSINESSES OR INDIVIDUALS

## Introduction

1. This guidance is issued in accordance with the statutory Code of Conduct for Employees and is therefore relevant to Council officers to whom the Code of Conduct relates, including school based non-teaching staff. It sets out the threshold or minimum value level determined by the Council, which is £25.

2. All hospitality, gifts and other benefits received by officers, which are estimated to exceed this value, must be notified to, and registered by, the Council's Monitoring Officer via Democratic Services.

## Definitions

<b>Term</b>	<b>Definition</b>
Hospitality received	Any entertainment beyond the offer of nonalcoholic drinks and light refreshments, which would reasonably be regarded as normal social congress, offered to employees representing the Council in an official capacity or in the course of their duties as an officer of the Council. Hospitality received can include (but not exclusively) meals, travel opportunities, hotel accommodation, invitations to events, sport and theatre tickets.
Gift	Any tangible item given to an officer arising out of their official duties and position within the Council.
Other benefits	Any other benefit offered to an officer in the course of, or arising from, their official duties and position within the Council, not covered by the definitions listed above.



## Statutory and Council Framework

3. Paragraph 8(2) – Personal Interests – of the statutory Code of Conduct for Employees (which is contained within Part 5 of the Council’s Constitution) states that:

*“ [Employees must comply with] any rules of their relevant authority on the declaration by employees of hospitality or gifts offered to or received by them from any person or organisation doing or seeking to do business or otherwise benefiting or seeking to benefit from a relationship with the authority. Qualifying employees must not accept benefits from a third party unless authorised to do so by their relevant authority. ”*

## Acceptance and Refusal

4. Whatever the value of the hospitality, gift or other benefit offered to an employee/officer, if its acceptance may place you under an improper obligation to the donor, or may reasonably appear to do so, it should always be refused.

5. It is not possible to describe all the situations where an improper obligation may arise. However, these are some examples of circumstances in which offers to officers are likely to be seen as suspect:

- The offer of hospitality, gifts or other benefits which do not appear to have any proper purpose connected with the Council (e.g. the offer of private holidays or the use of holiday accommodation; personal gifts of substantial value or other benefits offered to officers at substantially below the price they would normally be offered to the public);
- Hospitality, gifts or other benefits offered to officers who are closely involved in discussions, or who will make recommendations or participate in decision making, relating to an external organisation, business or individual seeking to do business with the Council and, for example, is involved in negotiating a contract or the sale or acquisition of a property, or who has submitted a tender for a Council project;
- Regular and repeated hospitality, gifts or other benefits which are offered or received from the same external organisation, business or individual;
- Hospitality, gifts or other benefits offered where the officer would be the sole guest on an essentially private occasion;
- Hospitality, gifts or other benefits offered for purely sporting or social occasions away from the Council’s administrative area, where there would be no general expectation that the Council should be represented, nor any clear connection with Council business or functions.

It should be stressed that the above are examples only, and are not exhaustive. Each offer and its appropriateness should be considered on its



merits and it will be necessary for officers to take a personal view as to whether it is appropriate to accept it, subject to authorisation, as well as the need to avoid the appearance of any improper obligations to the external organisation, business or individual.

6. In circumstances where it is necessary for the Council to be represented at events where hospitality is offered by an external organisation, business or individual, it is appropriate to accept unless there are circumstances which clearly suggest that an improper obligation may be seen to arise.

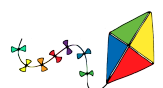
7. If, for example, the external organisation, business or individual offering hospitality is at a sensitive stage in contractual negotiations with the Council, it will not be appropriate for those who are directly or indirectly involved with those negotiations to accept hospitality. If the matter is a major project which affects many parts of the Council, all invitations during negotiations should be refused.

8. If, however, the issue is relatively minor and confined to one service area or a small group of individual officers, it may be appropriate for those officers not involved directly or unconnected with the matter to accept invitations, if it is believed that the event concerned is particularly relevant to Council business or functions.

9. The offer of hospitality from other public bodies or organisations (e.g. UK Government, National Assembly for Wales, Welsh Government, Local Health Boards and other Councils) will normally be appropriate for acceptance as the implication of improper obligation would rarely arise in those circumstances and such events are generally arranged for proper public purposes. However, those officers who are offered hospitality, gifts or other benefits from such organisations would still need to consider whether acceptance is appropriate and likely to further the Council's interests. In addition, if the organisation is involved in the process of negotiating a contract or other arrangement with the Council, careful consideration should be given before accepting any hospitality, gifts or other benefits.

10. Officers may be offered gifts in the form of bequests by local residents, as a result of their undertaking official duties. This most often happens in the case of home care or residential care staff. Such offers of bequests should be discouraged wherever possible in order to avoid officers being subject to any accusations of impropriety and undue influence or persuasion having been brought to bear on the testator. However, if a bequest is made, then the acceptance of small bequests by officers, which represent only a minor proportion of the estate in each individual case, will generally be considered as acceptable, subject to appropriate authorisation by a senior manager.

## Authorisation



11. Under the Code of Conduct for Employees, officers should seek authorisation before accepting any hospitality, gift(s) or other benefit(s).

12. It is the responsibility of the employee to register any hospitality, gifts or other benefits and to ensure that their line manager and/or senior manager are aware of this. Even if authorisation is given, employees remain under a duty to consider whether acceptance of the hospitality, gift(s) or other benefit(s) would place him/her under an improper obligation or be reasonably regarded as such, and whether they need to register its receipt.

13. Subject to paragraph 12 above, this guidance gives general authorisation for employees to accept the following hospitality, gifts or other benefits from third party external organisations, businesses or individuals without authorisation:

- Promotional or advertising items including pens, calendars, note pads, diaries, etc;
- Small token gifts given to all or most participants at the end of an official visit by or to the Council or a properly authorised conference;
- Modest gifts given by individuals to express gratitude for help given in the proper performance of official duties, where refusal would needlessly offend (e.g. bunch of flowers, box of chocolates, single bottle of inexpensive wine etc.), but repeated or costly gifts of this nature should be politely refused;
- Hospitality offered as part of a conference or training event at which attendance has been authorised through the normal procedures;
- Hospitality by way of meals offered at business meetings where it is necessary due to diary commitments or other pressing circumstances for the meeting to cover a normal mealtime. In such cases, the hospitality accepted should be of an appropriately modest scale below an estimated value of £25.

14. For all other occasions, the authorisation should be provided by an appropriate senior manager before employees accept the hospitality, gift(s) or other benefit(s) as set out below:

<b>Employee</b>	<b>Authorised by</b>
Chief Executive	Section 151 Officer or Monitoring Officer
Chief Operating Officer or Corporate Chief Officer	Chief Executive
Chief Officer	Chief Operating Officer or Corporate Chief Officer



Head of Service	Corporate Chief Officer
Below Chief Officer	Chief Officer

## Registration

15. Officers are required to register the acceptance and receipt of any hospitality, gifts or other benefits exceeding an estimated value of £25 for each occasion, item or payment.

16. If there is any doubt about whether the item exceeds the threshold value, you are advised to register its receipt. However, for the avoidance of any doubt, items below the threshold values do not need to be registered by officers. The threshold value will be reviewed by the Council as necessary and appropriate, in consultation with the Standards and Ethics Committee.

17. Employees should use the applicable Officer Registration Form (4.C.034), which must be completed and returned to the Democratic Services Manager for registration purposes. The register will be made available for public inspection.

