

PROTOCOL FOR STAFF ON GIFTS, HOSPITALITY, BEQUESTS AND SPONSORSHIP

The public has the right to expect the highest standard of conduct from all Council staff and any departure from this standard would always be regarded as a serious matter.

One area where it is accepted that guidance is required to staff to ensure that their conduct meets public expectation is in relation to the receipt of gifts and hospitality.

Employees should not therefore accept gifts, hospitality, bequests or sponsorship in a personal capacity.

However, it is understood that in certain circumstances refusal may cause offence e.g. where the gifts are small tokens of thanks from appreciative members of the public

1. Decision to accept a gift or hospitality

You must obtain the consent of your Head of Service before accepting a gift or hospitality.

If you are in any doubt the gift or hospitality must be declined.

2. Gifts which may be accepted

- You may accept a gift if it is under £25¹ in value and:
 - no ulterior motive is apparent and
 - there is no danger of misinterpretation by the public (*e.g. because the gift comes from someone tendering for work or who is conducting business with the Council*) and such gifts have not become a frequent occurrence
- This includes small tokens of thanks from appreciative members of the public and promotional items such as pens, diaries, calendars, etc., that are routinely sent out by the various companies and organisations with which the council does business.

¹ Where a Member of Staff is employed in adult care the value of the gift, hospitality, bequest or sponsorship shall not exceed £5.

- If a gift over the value of £25 is offered it should not be accepted unless refusal would cause offence, in which case the gift must be donated to the Lord Mayor's Appeal raffle, e.g. a gift over £25 in value offered by a member of a visiting town twinning group.

3. Gifts which must not be accepted

- Gifts over £25 in value, subject to the exception above
- Gifts of cash
- Gifts from a person with whom the council may contract or is in contract negotiations
- Gifts from any person whose business the council may regulate e.g. through planning control or licensing control
- Gifts from a person where you may be required to formulate recommendations to the council, or you could influence the recommendations of others
- Gifts where you are monitoring the service provided by the person on behalf of the council

4. Hospitality

Hospitality cannot be accepted if it is offered to you in your personal capacity. It may be accepted if you are receiving hospitality on behalf of the council and you have the prior approval of your Head of Service or you are receiving meals as part of a Town Twinning event.

In all cases you should consider the impression that the acceptance of the hospitality will make in the minds of the public. In particular: -

- Is the hospitality offered in proportion or might there be a hidden motive?
- Has it been offered only to you or to others as well?
- Are they conducting business with the Council?
- Does or might the person offering it contract with the council or are they in contract negotiations?
- Is the hospitality offered by a person whose business the council may regulate e.g. through planning control or licensing control?
- Is the hospitality from a person where you may be required to formulate recommendations to the council, or you could influence the recommendations of others?
- Is the hospitality offered from someone where you are monitoring the service provided by the person on behalf of the council?
- If you have any doubt then you should decline the hospitality.

5. Bequests

You must actively discourage any bequest or donation being made to you and decline any of which you become aware. If you become aware that such a bequest or donation has been made, or may be made, you must tell the Monitoring Officer as soon as possible.

Wherever possible, the bequest or donation will be declined or returned to the estate of the person who made the bequest. If this is not possible, the bequest or donation will be given to the Lord Mayor's Appeal.

6. Sponsorship and financial support

Any offer of sponsorship or financial support to a member of staff will be treated in the same manner as a gift and should be declined unless approved by your Head of Service and may in any event only be for charitable purposes.

Where the council makes a financial contribution to an event or community group where you, or your relative, may obtain a benefit which is more than that which is generally received by other members of the public, you should declare an interest and take no further part in the development of the event.

7. All gifts and hospitality offered must be registered

Whether a gift or hospitality is **accepted** or **declined**, and whether it is over or under £25 in value, it is your personal responsibility to register it, the source of the gift or hospitality and the reason for it.

You must do so within seven days of receiving or declining it.

For staff registering items, access is via Intralink - click on Systems, Gifts & Hospitality Register (within Work environments) then Logon Links (Gifts & Hospitality Register)

The public register is to be found at <http://www.portsmouth.gov.uk> then by clicking on Your Council, Information, Gifts & hospitality register

If the gift or hospitality is accepted as part of the registration your Head of Service will be required to confirm that:-

- they approve of the acceptance of the gift or hospitality and
- this protocol has been complied with

8. Effect of registering a gift or hospitality

You automatically have a **personal interest** in a matter under consideration by the council if it is likely to affect a person who gave you a gift. If that is the case, you must, at the earliest opportunity, declare the existence and nature of the gift or hospitality, the person who gave it to you, how the business under consideration relates to that person and then take no further involvement in the council's consideration of the matter.

9. Annual report on compliance and review of policy

The Monitoring Officer will report annually to the Standards Committee on compliance with this protocol.

The Standards Committee will review compliance with the policy annually and make recommendations to the council arising from its implementation.

Dated September 2007