

### **33. RECEIPT OF GIFTS, GRATUITIES AND HOSPITALITY**

#### **33.1 GENERAL GUIDANCE**

Members and employees are personally responsible for their decisions in relation to the acceptance of gifts and hospitality and must always act in a manner which avoids damage to the reputation of the Council. Any offer of gift, hospitality or favour extended personally to a member or employee must be treated with caution as the person or organisation extending the offer may be doing business with or hoping to be doing business with the Council, or may have an interest in a decision the Council may make.

**Gifts or hospitality should only be accepted where a third party would see this as normal and reasonable and should not be of a value which might be perceived by a third party as casting influence on the member or employee.**

If any member or employee is in any doubt as to acceptance, advice should be taken from their Chief Officer or, if appropriate, the Chief Executive.

#### **33.2 ACCEPTANCE OF GIFTS**

While personal gifts should not be accepted, small value gifts of a promotional nature, e.g. diaries, pens, etc. are allowable and need not be declared. However, the frequency of receipt of gifts must also be taken into consideration and regular acceptance of these small value gifts is not permissible.

In some exceptional circumstances gifts of a higher value nature (valued in excess of £40) may be offered and may be accepted on behalf of the Council. In these circumstances permission of a Chief Officer or the Chief Executive is required prior to acceptance. The gift and the estimated value thereof must immediately thereafter be recorded in the Gifts and Hospitality Register kept by the Head of Law and Administration. The form for recording gifts in the register is attached at [Appendix 13](#), and is available electronically on the Council's Intranet under "Employee Matters" – "Employee Code of Conduct".

Where an employee is the beneficiary of a gift or legacy from a service user, the matter must be referred to the Head of Law and Administration who shall decide if Committee approval is required for the employee to retain the gift.

#### **33.3 ACCEPTANCE OF HOSPITALITY**

Acceptance of reasonable hospitality as part of attendance at a meeting or conference in the normal course of Council business is acceptable.

Reasonable hospitality can also be accepted where it is extended only to Angus Council employees as part of a demonstration or inspection and the Council has paid the costs of the visit, e.g. travelling costs.

Reasonable hospitality in both the above circumstances is usually taken to mean morning / afternoon refreshments and / or lunch and does not require to be entered in the Gifts and Hospitality Register. Hospitality in excess of this requires prior permission of a Chief Officer.

Subject to the provisions of Financial Regulation 33.4 below, attendance at a social or sporting event may be permissible if authorised in advance by a Chief Officer who must assess the value of the hospitality and the benefit to the Council of attendance. If the value of the whole package (i.e. hospitality, ticket value, etc.) is considered by the Chief Officer to be within generally accepted limits, attendance is permissible so long as the appropriate entry is made in the Gifts and Hospitality Register maintained by the Head of Law and Administration. All attendances at social or sporting events require declaration in this Register. The form for recording hospitality

in the register is attached at [Appendix 13](#), and is available electronically on the Council's Intranet under "Employee Matters" – "Employee Code of Conduct".

For indicative purposes, hospitality valued significantly in excess of £150 would not generally be acceptable.

### **33.4 EXCLUDED HOSPITALITY**

There are specific circumstances where acceptance of hospitality, irrespective of value, is not permitted, i.e.

- Hospitality of an extravagant nature from individuals, businesses or organisations irrespective of whether the Council does or does not do business with them.
- Where hospitality has already been received by the same person from the same third party 3 times within a twelve month period.
- Where a third party makes an offer to sponsor or host an event purely for Angus Council employees (other than that linked to demonstrations / inspections per section 33.3).
- Where a third party is in a current tendering situation with the Council, or is being considered for inclusion on a tendering list.
- Where the individual, business or organisation has been, and remains, excluded from the list of approved suppliers.

Employees accepting hospitality in the above situations may leave themselves open to disciplinary action.

### **33.5 ACCEPTANCE OF FEES, COMMISSIONS, ETC.**

No person employed by the Council shall be entitled to retain any fee, commission or other payment collected or received as part of their office or employment except with the formal approval of their Chief Officer or Convener of the appropriate Service Committee.

Any employee who receives a fee, commission or other payment from a party who is, or may expect to be, under contract to the Council for provision of works, goods or services shall be liable to dismissal without notice.

The sections above should be read in conjunction with the relevant part of the Employee Code of Conduct, which can be found on the Council's Corporate Intranet under Employee Matters.

**For clarification or any queries in respect of this section please contact  
Janine Wilson on extension 6151**