

## Gifts and hospitality policy

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## 1. Introduction

The Council needs to ensure that its decisions and operations are open, accountable and in line with recognised ethical standards.

It is essential that the public can be confident that decisions are made for good and proper reasons and are not influenced inappropriately by the interests of individual employees, their relatives or friends. Therefore employees should not compromise their position as public service workers by accepting gifts or hospitality that might be perceived as having influenced any such decision.

In delivering its objectives the council maintains a zero tolerance approach to fraud and corruption, whether it is attempted from outside the council (the public, clients, partners, contractors, suppliers or other organisations) or within (Members and employees). Employees should exercise caution concerning the acceptance of gifts or hospitality and should refer to the Council's **Strategy on Fraud and Corruption** ([link](#)) for further information.

In support of these objectives this policy details the Council's expectations of employees and those working on behalf of the Council regarding the acceptance of gifts and hospitality in relation to their role in the Council.

## 2. Application

The policy applies to all Surrey County Council employees, except fire fighters, teachers and staff employed directly by schools. It applies to agency workers, and contractors and their staff whilst working for or on behalf of the Council.

## 3. Basic principles

- All officers of Surrey County Council and those working on behalf of Surrey County Council are expected to refuse the offer of inappropriate and disproportionate hospitality and gifts made in relation to their role in the Council unless there are compelling reasons or exceptional circumstances for doing so.
- Accepting a gift or hospitality that does not comply with this policy will breach the code of conduct and may result in disciplinary action.
- Individuals are responsible for deciding whether an offer of a gift or hospitality is "inappropriate and disproportionate and could have the potential to be interpreted as recompense, inducement or endorsement.
- Gifts or hospitality must not be accepted where it might be perceived to influence a decision in respect of purchasing goods or services, awarding contracts, or in the discharge of any other aspect of the Council's business. It is your responsibility to refuse such offers and to report any possible conflict of interest and in cases where you believe that the Council may be compromised.

- It is a criminal offence for officers or those working on behalf of the council to corruptly receive any gift, loan, fee, reward or advantage for doing, or not doing anything, or showing favour, or disfavour, to any person in their official capacity. In no circumstances should any statement ever be made in return for a personal gift, or money.
- It is expressly prohibited for an officer to accept any gift or hospitality from an organisation if the officer is actively involved in a tender process with the organisation on behalf of the Council. This prohibition commences at the point that an invitation to tender is published and extends to a period of three months after a contract has been awarded.
- For reasons of integrity and transparency, the principle of receipt of gifts or hospitality extends to the spouse, partner or immediate family of the officer.
- Officers must follow the policy and procedure for the registration and approval of offers of gifts and hospitality. If there is any doubt about the acceptance of a gift or offer of hospitality, the officer is responsible for discussing this with their manager.

### 4. Registration and Approval of Gifts and Hospitality

The requirements for the registration and approval of gifts and hospitality are outlined below.

Offers of gifts and hospitality with a value of £25 or less do not need manager approval or to be recorded in the register unless it is considered that there are good reasons for doing so. Employees should speak to their manager if there is any doubt whether an item falls within the definition of a gift or hospitality and/or is acceptable.

Employees working in social care provider services should refer to section 5 below for information about the acceptance of gifts in their service.

- a. Any gifts and hospitality with a value of £25 or more that have been offered, whether accepted, declined or accepted and passed on to charity, must be registered in the **online gifts and hospitality register** ([link](#)). For information on how to do this you should refer to the **Gifts and hospitality Guidance** ([link](#)).
- b. Acceptance of gifts or hospitality with a value of £25 or more must be approved by an appropriate manager. Heads of Service are responsible for prescribing the appropriate level of management to authorise approvals in their service.
- c. Acceptance of gifts and hospitality with a value of £25 or more must be authorised and recorded in advance of receipt. Where this is not possible, it should be recorded and authorised within seven days of the receipt.
- d. Where an officer receives a series of gifts or hospitality from the same individual or organisation in one year with a cumulative value of £100 or over, these too must be registered.

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- e. No officer of the Council should continue to accept gifts or hospitality after the cumulative value of items reached in a single financial year reaches £200 or more. In such circumstances the officer must register that the gift or hospitality has been declined for this reason and advise the relevant manager in their service. Items where a value is not known should be assumed to be worth a notional cost of £50 and be recorded on this basis in calculating the cumulative total received over the financial year.
- f. **Monetary gifts**  
An employee must never accept monetary gifts of any kind, whether in the form of cash or cheques. However, vouchers from service users may be acceptable depending on the circumstances, but should be treated with caution.
- g. **Tokens of goodwill**  
Officers may receive tokens of goodwill when attending conferences or similar events and on occasion, minor articles such as diaries, pens and calendars issued for advertisement that have a value of less than £25. These can be accepted and do not need to be registered, unless it is considered there are good reasons for doing so.
- h. Heads of Service are accountable for ensuring that staff are aware of the arrangements for the registering and approval of gifts and hospitality and the location of the **online gifts and hospitality register** ([link](#)).

### 5. Employees in social care provider services

Special caution should be exercised by employees in social care provider services due to the complexity and sensitivity of the relationship between providers of care services and vulnerable service users, their carers and families. The general principle is that staff should not accept gifts of any kind. However, it is recognised that a refusal may offend or distress the giver, therefore gifts with a value of less than £25 in value may be accepted following discussion the employee's manager. Gifts with a value of over £25 must be registered and approved in the normal way as set out above.

### 6. Hospitality

Hospitality may be defined as anything beyond the offer of non-alcoholic drinks and light refreshment. Officers should only accept such offers if there is a genuine need for Surrey County Council to be represented at a function or there is demonstrable added value to the county council in the officer attending (e.g. sharing best practice between other professional colleagues or other local authorities or relevant organisations).

Acceptance of hospitality through the attendance at relevant conferences and courses is acceptable where it is clear that the hospitality is corporate rather than personal, and such hospitality does not compromise purchasing decisions. Personal hospitality over the value of £25 must be approved by the relevant manager and recorded in the online Register of Gifts and Hospitality.

Officers are responsible for deciding whether an offer of hospitality is “inappropriate or disproportionate”. Further information on this is provided in the **Gifts and hospitality Guidance** ([link](#)).

### 7. Bequests and legacies

If as a result of their employment an employee becomes a beneficiary of a service user’s will, this must always be reported to their line manager and recorded in the **online gifts and hospitality register** ([link](#)). The employee must not accept the bequest, regardless of its size or value, unless granted explicit permission by the appropriate level of management in their service. Permission will only be granted where the legacy is of little financial value, such as a sentimental item.

### 8. Monitoring and compliance

Heads of Service are responsible for ensuring that arrangements are in place for the entry of information into the **online gifts and hospitality register** ([link](#)) for those members of staff who are unable to do so directly.

Managers need to be aware of and monitor all offers of gifts and hospitality made to their team members, and to flag if one third party or organisation seems to be excessively offering “small” gifts which are not being recorded.

Surrey County Council will publish the Registers of Gifts and Hospitality online and it will be open to inspection by the public and internal and external auditors.

On an annual basis the Chief Executive (or a designated officer) will present a report on Gifts and Hospitality to an appropriate committee of the Council for review.

An annual reminder will be sent to all Heads of Service that they should communicate gifts and hospitality compliance requirements to officers.

The Head of HR&OD as the policy owner is responsible for reviewing policy contents and for the oversight of compliance with its requirements.

### 9. Miscellaneous

– other areas which can be associated with receiving gifts / favours/hospitality

#### Using services of contractors

Officers must not knowingly use the services of contractors employed by Surrey County Council for acquiring materials, labour or plant at cost, trade or discount prices for their personal use.

#### Competitions and raffles

Where officers enter competitions and raffles at events attended on official Surrey County Council business and win prizes with a value in excess of £25 they must seek the approval of the relevant manager before taking up any

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hospitality, or before retaining possession of any gift, and record the matter in the Register of Gifts and Hospitality. The same principle applies for online raffles and competitions. If the officer has bought tickets for a raffle with their own money, then this requirement is not applicable.

### **Sponsorship of events**

Where the Council sponsors an event, no officer must benefit in a direct way without there being **full disclosure** to the relevant manager of any such interest. Again, the onus is on the individual to take responsibility for making informed judgements about whether any hospitality made to them as part of any sponsorship is not “inappropriate or disproportionate”. Where the Council gives support in the community through whatever means, officers must ensure that there is no **conflict of interest** and the same principles of disclosure apply.

### **Endorsement of a product or service**

Officers must exercise caution before providing any statement endorsing the quality or operation of any product or service that may be used for publicity purposes. Such endorsement may put the County Council at risk of misrepresentation or legal challenge. Officers are therefore advised to apply judgement in terms of appropriateness and if necessary seek further advice from their manager in these instances.

In no circumstances should any statement ever be made in return for a personal gift, money or a gesture of hospitality.

## Gifts and hospitality Guidance

### Why do we have guidance in addition to the policy?

The policy outlines the principles and rules we need to follow in relation to the acceptance of gifts and hospitality. This guidance document will help you make decisions about the acceptance and refusal of gifts and hospitality and follow the correct procedures.

### How do I decide whether or not to accept a gift and/or hospitality?

The guiding principles for acceptance of gifts and /or hospitality should be based on the following questions.

- Would the public question the appropriateness of hospitality or gifts received by an officer of the Council?
- Would the behaviour of individuals create suspicion of any conflict between their official duty and their private interest?
- Would the action of an individual acting in an official capacity give the impression (to a member of the public, any organisation with which they deal, or to a Councillor or colleague) that they have been (or may have been) influenced by a benefit to show favour or disfavour to any person or organisation?

If you have any doubt about an offer of a gift/ hospitality you are responsible for notifying and discussing this with your manager.

### How do I record gifts and hospitality?

Any gifts and hospitality with a value of £25 or more that have been offered, whether accepted or declined or accepted and passed on to charity, must be registered in the **online gifts and hospitality register** ([link](#)). If you have online access you can do this directly.

### When should entries be made?

Entries should be made at the earliest opportunity and in advance of receipt where accepted. Where this is not possible this must take place within seven days at the latest.

### What should I do if I don't have online access and cannot enter the information online?

You should make sure that your online entry is made on your behalf by a member of your business support or administrative team. Your service will have decided how this is done and some services may ask you to record items in a Gifts and hospitality book to assist with this process.

The information that you will need to provide is as follows:-

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<b>Name(s), job title and email address (if available) of those receiving offer of, or gift or hospitality</b> - Details of all SCC staff and employees (including agency, contractors and their employees employed on behalf of the authority) and names of relative or partner, if appropriate, should be recorded	<b>Date</b> - Date the gift or hospitality was offered	<b>Person or Organisation providing gift or hospitality</b> - Both the name of the organisation and organisation representative or individual as appropriate	<b>Details of the gift or hospitality</b> - Brief description of item, ie, dinner at X, case of wine, holiday
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<b>Value£</b> - If actual value is not known enter estimated. If offered to more than one person enter total value. If value is not known, assume a notional cost of £50.	<b>Reason</b> – a brief explanation of why the gift or hospitality was offered	<b>Decision</b> - State whether offer was 'Declined' 'Accepted and donated to charity' or 'Accepted'. For donations to charity state name of charity	<b>Authorisation</b> – if appropriate state name of authorising officer and date authorised
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### How do I decide whether it is appropriate to accept an offer of hospitality?

You are responsible for making informed judgements that the offer of hospitality is not “inappropriate or disproportionate”. For example reasonable and proportionate catering at an event may be justified whereas an expensive dinner could have the potential to be interpreted as recompense, inducement or endorsement.

When receiving a hospitality invitation, you should be sensitive to its timing in relation to decisions that Surrey County Council may be taking that may affect the organisation(s) providing the hospitality.

### What types of hospitality do not need to be registered?

- Any hospitality provided by Surrey County Council;
- Any hospitality provided by other public sector organisations that is similar to that provided by Surrey County Council;
- Modest hospitality and beverages (to a value of less than £25) provided by any outside organisation or individual whilst on official County Council business;
- Any hospitality provided as part of a course/conference that is included in a conference fee paid by Surrey County Council.

### Can I accept hospitality when undertaking inspection visits?

Where visits are required to inspect equipment or services, or in relation to the award of a contract, you should ensure that the County Council meets the costs of such visits in order to avoid prejudicing subsequent purchasing



decisions. Any arrangement where the company visited meets part or all of the cost must have the prior approval of the relevant manager, and must be recorded in the Register of Gifts and Hospitality.

**I attended an event where myself and a colleague received hospitality that needs to be registered. Do I have to make an entry on the register if my colleague has already done so?**

Yes, each individual that receives a gift or hospitality must record their details separately.

**Is it appropriate to accept what may be considered a luxury item, for example expensive alcohol or perfume?**

When deciding whether or not to accept an offer of a gift, the context is important. An offer from an organisation seeking to provide services to the Council or in the process of applying for permission or some other decision from the Council is unlikely to be acceptable, regardless of the value of the gift. However, a gift given at Christmas by a service user as a gesture of appreciation to an employee will generally be acceptable and could cause offence if returned.

If approval is given for an individual to accept a luxury item, for example an expensive alcohol or perfume, managers may wish to consider whether it is appropriate for it to be distributed by way of a raffle for staff, with proceeds being donated to an appropriate charitable cause, or for perishable goods to be shared with the team.

**When might it be appropriate to register gifts or hospitality with a value of less than £25?**

It is perfectly in order to register gifts or hospitality received that have a value of less than £25 if you wish to do so. This could occur, for example, where a business discussion has taken place with a third party over a meal which has been paid by the third party. You believe that your share of the cost is a little under £25. You have received approval from your manager to accept this hospitality and agreed that for integrity and transparency it should be registered.

**What if I receive a gift of a substantial nature (over £25) from a third party and approval for acceptance is not given?**

If approval is not obtained the gift should be returned with a polite explanation that the Council's policies do not allow their acceptance. If you have any doubts about a gift you have already accepted, you should consult your line manager, who in turn should discuss the matter with a relevant senior manager to determine whether you should retain the gift. The Chief Executive will be the final arbiter on the advisability of accepting or refusing gifts.

**What should I do if I receive a ceremonial gift?**

Where a ceremonial gift is made to you in your official capacity (for instance, when finalising a collaborative agreement between public sector bodies), the gift will be retained by Surrey County Council and may be put on display. At an appropriate time, such ceremonial gifts will be transferred to the Surrey History Centre.

**How should Heads of Service ensure compliance with the policy requirements?**

Heads of Service will receive an annual reminder to communicate policy compliance to officers. Action should then be taken to ensure that officers within their service are aware of the most recent policy and guidance and to check that the requirements are being met. It is up to each Head of Service to decide how best to do this, but an example of good practice would be to send an annual reminder email with a link to the policy and guidance.