TREWERN COMMUNITY COUNCIL / CYNGOR CYMUNED TREWERN

GIFTS AND HOSPITALITY PROTOCOL

INTRODUCTION

This protocol applies to all Councillors and employees of Trewern Community Council. Councillors and staff are required to register any gifts or hospitality worth £25 or over that are received in connection with their official duties, and the source of the gift or hospitality. The registration must be completed within 28 days of receiving the gift or hospitality.

As with other registered interests, Councillors have a personal interest in any matter under consideration at a meeting if it is likely to affect a person giving them a gift or hospitality. Councillors must declare the existence and nature of the gift or hospitality as an interest at the meeting. Councillors will also need to consider whether your interest is prejudicial.

A form for registering gifts and hospitality is included at the end of this guidance.

The receipt of gifts or hospitality can be misinterpreted. This guidance is intended to help Councillors and employees consider the implications of receiving gifts and hospitality and to make an appropriate judgement.

GENERAL CAUTION

Treat with extreme caution any offer or gift, favour or hospitality that is made to you personally which may possibly be perceived to be in connection with your position as a Councillor or employee of the Community Council.

Your personal reputation and that of your Council can be seriously jeopardised by the inappropriate acceptance by you of gifts or hospitality.

The acceptance of gifts and hospitality is not always unlawful or inappropriate. The decision for you, in every case, is whether or not it is appropriate to accept any gift or hospitality that might be offered to you having regard to how it might be perceived.

No hard and fast rules can be laid down to cover every circumstance as to what is appropriate or inappropriate. The below general principles will enable you to make your own decision.

CRIMINAL LAW

It is a criminal offence corruptly to solicit or receive any gift, reward or advantage as an inducement to doing, or forbearing to do anything, in respect of any transaction involving the Community Council.

The onus would be on you to disprove corruption in relation to a gift from a person holding or seeking to obtain a contract from the Council.

LIMITS OF GUIDANCE

The Code of Conduct does not apply to:

- Gifts and hospitality you may receive from family and friends (as birthday or other festival presents) that are not related to your position as a Council Member. You should however question any such gift or hospitality offered from an unusual source;

- The acceptance of facilities or hospitality provided to you by the Council;
- Gifts given to the Council that you accept formally on the Council's behalf and are retained by the Council and not by you personally.

MEANING OF GIFTS AND HOSPITALITY

The expressions 'gifts' and 'hospitality' have wide meanings and no conclusive definition is possible.

Gifts and hospitality include:

- The free gift of any goods or services;
- The opportunity to acquire any goods or services at a discount or at terms not available to the general public;
- The opportunity to obtain goods or services not available to the general public;
- The offer of food, drink, accommodation or entertainment or the opportunity to attend any cultural or sporting event;
- The use of a free car.

Common gifts include pens, diaries, calendars and other business stationery, articles of clothing, books, flowers and bouquets. When making purchases you should be cautious if additional services, privileges or advantages are offered which might be related to your position as a Member of the Council.

APPROPRIATE GIFTS AND HOSPITALITY

There are some circumstances where you may accept gifts and hospitality as being in the normal course of your duties as a Member:

- Civic hospitality provided by another public authority;
- Normal and modest refreshment in connection with any meeting in the course of your work as a Council Member or employee (e.g. tea, coffee and other normal beverages and biscuits);
- Tickets for sporting, cultural and entertainment events which are sponsored or promoted by the Council or bodies to which you have been appointed by the Council, and the tickets are offered in relation to that sponsorship or promotion;
- Small low value gifts (below £25.00 such as pens, calendars, diaries, flowers and other mementos and tokens);
- Drinks or other modest refreshment received in the normal course of socialising arising consequentially from Council business (e.g. inclusion in a round of drinks after a meeting);
- Modest meals provided as a matter of courtesy in the office or meeting place of a person with whom your Community council has a business connection;
- Souvenirs and gifts from other public bodies intended as personal gifts (e.g. arising from twin-town and other civic events).

PRINCIPLES TO APPLY IN RELATION TO GIFTS AND HOSPITALITY

In deciding whether it is appropriate to accept any gift or hospitality you must apply the following principles:

- Do not accept a gift or hospitality as an inducement or reward for anything you do as a Council Member. If you have any suspicion that the motive behind the gift or hospitality is an inducement or reward you must decline it.
- "Reward" includes remuneration, reimbursement and fee.
- Do not accept a gift or hospitality of significant value or whose value is excessive in the circumstances.

- Do not accept a gift or hospitality if acceptance might be open to misinterpretation. Such circumstances will include gifts and hospitality:
    - From parties involved with the Council in a competitive tendering or other procurement process.
    - From applicants for planning permission and other applications for licences, consents and approvals in which the Council has an involvement.
    - From applicants for grants, including voluntary bodies and other organisations applying for public funding from the Council.
    - From parties in legal proceedings with the Council.
- Do not accept a gift or hospitality if you believe it will put you under any obligation to the provider as a consequence.
- Do not solicit any gift or hospitality and avoid giving any perception of so doing.

REPORTING OF INAPPROPRIATE GIFTS AND HOSPITALITY OFFERED

It is a criminal offence for a person corruptly to give or offer any gift, reward or advantage as an inducement or reward to you for doing or forbearing to do anything as a member of the Council.

You must immediately report to Trewern Community Council any circumstances where an inappropriate gift or hospitality has been offered to you.

You may thereafter be required to assist the Police in providing evidence.

Trewern Community Council adopted/reviewed this Gifts and Hospitality Policy at its meeting on:

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Signed:……Date:……..……..

Print Name:…….…….

Position:……..……..

Version No:……..……

Review Date = Annual

Amended or Reviewed	Date	Version No	Who
Approved			

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GIFTS OR HOSPITALITY REGISTRATION FORM

What was the gift or hospitality? (give full description)	
What is your best estimate of its market value or cost?	
Who provided it?	
When and where did you receive it?	
Signed:	
Name in capitals:	
Date:	