



**Melton
Borough
Council**

GIFTS AND HOSPITALITY POLICY

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CONTENTS:

Paragraph	Heading	Page
1.0	Summary of Policy	4
2.0	Objectives of the Policy	4
3.0	Outcomes of the Policy	4
4.0	What is Bribery	5
5.0	The Councils Commitment	5
6.0	Key points of the Bribery Act 2010	5
7.0	Public contracts and failure to prevent bribery	8
8.0	How do I raise a concern	8
9.0	What should you do if someone reports a concern to you	9

1.0 Summary of document

- 1.1 The Council has adopted a Code of Conduct for Members and an Officer Code of Conduct. Each code is based on the Nolan Committee's Seven Principles of Public Life.
- 1.2 This Policy provides guidance to the following "Individuals".
- Councillors
 - Co-opted members
 - Officers
 - all personnel (permanent and temporary employees, agency staff, volunteers, consultants and Members) undertaking activities on behalf of Melton Borough Council.
- 1.3 It is a criminal offence for those persons above to corruptly receive or give any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in your official capacity. It is a personal responsibility to demonstrate that any such rewards have not been corruptly obtained.

2 Objectives of the Policy

- 2.1 The Council has adopted the following guidelines to help but they may be used in a disciplinary setting to determine if you are in breach of the relevant Code of Conduct.
- 2.2 Staff and councillors need to appreciate that gifts, hospitality and sponsorship, wrongly accepted, can amount to or be construed as bribery within the meaning of the Bribery Act 2010.
- 2.3 It is impossible to prepare guidance to cover all situations, and therefore individuals should always take advice whenever complex or potentially contentious situations occur. Staff can talk to Human Resources or the Monitoring Officer. Councillors should talk to the Monitoring Officer in the first instance.
- 2.4 Individuals should consider what the ordinary man or woman in the street would think if they knew the circumstances. If it could be considered that they would think that the person might be influenced in their future conduct by the gift or hospitality offered or that the persons past conduct might have been influenced by the hope of, or designed to encourage, such a gift or hospitality then the offer should be refused..
- 2.5 Individuals should bear in mind that it is not enough to avoid actual impropriety. It is important to protect the reputation of individuals and the Council by avoiding any occasions for suspicion and any appearance of improper behaviour.

2.6 This Policy provides a clear and consistent framework for members, employees and persons working for Melton Borough Council to ensure compliance with ethical standards.

2.7 For partners, joint ventures and suppliers, we will seek to promote the adoption of policies consistent with the principles set out in this Policy to ensure a consistent approach

3 Outcomes of the Policy

3.0 Those working for Melton Borough Council or under its control understand their responsibility towards the prevention, detection and reporting of bribery and other forms of corruption and avoid activity that breaches this Policy

3.1 All employees and members: to read, understand and comply with this Policy to raise concerns as soon as possible if it is believed or suspected that a conflict with this Policy has occurred, or may occur in the future. to act honestly and with integrity at all times and safeguard Melton Borough Council's resources for which they are responsible, to comply with the spirit, as well as the letter, of the laws and regulations of all jurisdictions in which the Melton Borough Council operates, in respect of the lawful and responsible conduct of activities

4 What are Gifts

4.0 A gift offered may be accepted if:-

- it is of nominal value (below £50.00) e.g. calendars, diaries, pens, a bottle of wine, flowers etc
- no ulterior motive is apparent nor is there any danger of misinterpretation by the public (be careful where the offer comes from a person or company seeking work from the Council).

4.1 Gifts outside the scope of the above guidelines should normally be refused, unless refusal would give offence. In such a case, the gift could be accepted and donated to the Mayor's Charity with a suitable explanation to the person or company concerned. Receipt of gifts in these circumstances should be reported in accordance with paragraphs relating to Register for Gifts and Hospitality below. They should always be refused if an ulterior motive is apparent.

4.2 Some members of staff and councillors regularly come into contact with the public and a frequent recurrence of small gifts might give the impression that they are expected or a reward for favorable treatment. In these circumstances, gifts should normally be refused. Alternatively, if refusal would

give serious offence, they could be accepted and the rules mentioned above applied.

- 4.3** Individuals should refuse an offer or try to avoid situations where they are likely to be offered a gift from a person or company engaged in negotiating a contract or other matter with the Council, or where they are directly responsible for formulating recommendations to the Council, for making a decision on a contract or for monitoring the service received from the person or Company concerned. If the contract or other matter has been completed, and there is no obvious likelihood of a renewal, then the previous paragraphs apply.

5. What is Hospitality

5.1 Individuals should only accept offers of hospitality if there is a genuine need to impart information, represent or promote the interests of the Council in the community.

5.2 Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the Council should be seen to be represented. Any hospitality accepted, should be properly authorised and recorded. (See paragraph below).

5.3 When hospitality has to be declined, those making the offer should be informed of the procedures and standards operating within the Council.

5.4 When receiving authorised hospitality individuals should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality.

5.5 Acceptance of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the Chief Executive or Monitoring Officer is consulted in advance and where the Council is satisfied that any purchasing decisions are not compromised.

6. Register for Gifts and Hospitality

6.1 Individuals must record all gifts and hospitality received, including any offered but rejected, in the Register maintained by the Monitoring Officer. This must include all offers of gifts and hospitality. Each entry in the Register must be authorised by the Monitoring Officer and in the case of hospitality accepted, it must be authorised in advance of attendance of the particular event.

6.2 Offers of hospitality which are open to all members will be recorded in the Register by officers.

6.3 Gifts below the nominal value received by refuse operatives, community centre staff and housing staff from grateful members of the public are not required to be recorded.

6.4 In all cases, it is better to err on the side of caution. If you have doubts, seek advice. What matters above all else, are the reputations of yourself, the Council and local government generally.

7. What is Sponsorship - giving and receiving

7.1 Where an outside organisation wishes to sponsor or is asked to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. How would this look to the ordinary man or woman in the street? Particular care must be taken when dealing with contractors or potential contractors (i.e. contractors who could bid for Council work).

7.2 Where the Council wishes to sponsor an event or service neither you nor any person connected with you must benefit personally from such sponsorship in any way. In all cases there ought to be full disclosure of the arrangements and consultation with the Monitoring Officer at an early stage.

7.3 Similarly, where the Council through sponsorship, grant aid, financial or other means, gives support in the community, you should ensure that impartial advice is given and that there is no conflict of interest involved with your work as a councillor or member of staff and any outside interests.

7.4 In each arrangement for sponsorship, care shall be given to recording the arrangement and the decision making process so that there is a clear audit trail for the purposes of transparency and accountability.

8. How do I raise a concern

8.1 Melton Borough Council ensures that all of us have a safe, reliable, and confidential way of reporting any suspicious activity. We want each and every person to know how they can raise concerns.

8.2 We all have a responsibility to help detect, prevent and report instances which may be contravention of this Policy. If you have a concern, please speak up – your information and assistance will help. The sooner you act, the sooner it can be resolved.

8.3 Employees who raise concerns or report wrongdoing (eg that they have been offered a bribe or who have been asked to bribe a third party) may understandably be worried about whether there will be repercussions.

- 8.4 We aim to encourage openness and will support anyone who raises a genuine concern in good faith under this Policy, even if those concerns turn out to be mistaken.
- 8.5 We are committed to ensuring nobody suffers detrimental treatment through refusing to take part in bribery or corruption, or because of reporting a concern. There are multiple channels to help you raise concerns. These are set out in the Council's Whistleblowing Policy. In the rare event that internal disclosure proves inappropriate, concerns can be raised with the Police. Raising concerns in these ways may be more likely to be considered reasonable than making disclosures publicly (e.g. to the media). Concerns can be anonymous.
- 8.6 In the event that an incident of bribery, corruption, or wrongdoing is reported, we will act immediately to evaluate the situation. We have 8 clearly defined procedures for investigating fraud, misconduct and non-compliance issues and these will be followed in any investigation of this kind. This is easier and quicker if concerns raised are not anonymous as enquiries can be made to ensure the allegation is correctly interpreted.