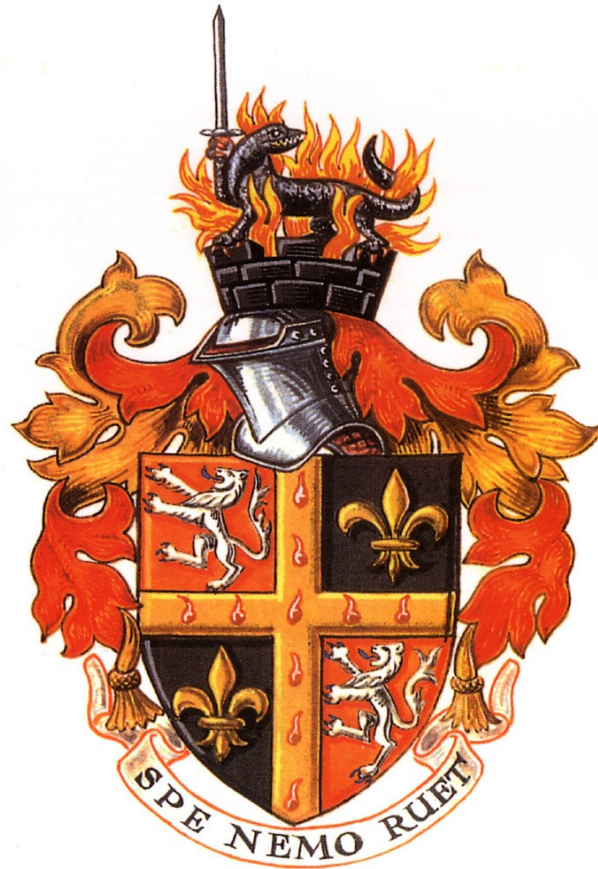


# SPENNYMOOR TOWN COUNCIL



## GIFTS AND HOSPITALITY POLICY

<b>Author of Policy:</b>	Town Clerk
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# SPENNYMOOR TOWN COUNCIL

## GIFTS AND HOSPITALITY POLICY

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**This Gifts and Hospitality Policy was adopted by the Town Council on 12<sup>th</sup> March 2024 and will be reviewed in April 2026 in order that they can be presented for adoption at the Annual Meeting of the Town Council in May 2026. The Town Clerk will continuously monitor changes in legislation or proper practices and shall advise the Council of any requirement for a consequential amendment to this Policy.**

## **1. INTRODUCTION**

- 1.1. This Policy provides guidance for all Councillors and Officers of the Town Council when considering whether to accept gifts or hospitality from individuals or organisations, and if accepting such then how to record this correctly.

## **2. CODE OF CONDUCT**

- 2.1. When Councillors make their Declaration of Acceptance of Office they acknowledge in writing that they will comply with Spennymoor Town Council's Code of Conduct. It is important that Councillors understand the Code of Conduct, a copy of this has been given to all.
- 2.2. The conduct expected by Officers is clearly detailed in their contract of employment as well as the Town Council's Employee Code of Conduct.

## **3. GENERAL CAUTION**

- 3.1. 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 an Officer or Councillor.
- 3.2. Your personal reputation and that of Spennymoor Town Council can be seriously jeopardised by the inappropriate acceptance by you of a gift or hospitality.
- 3.3. The acceptance of gifts and hospitality is not always unlawful or inappropriate. The decision for you in every case is whether it is appropriate to accept any gift or hospitality that might be offered to you, having regard to how it might be perceived.
- 3.4. No hard and fast rules can be laid down to cover every circumstance as to what is appropriate or inappropriate. This Policy offers general principles to enable you to make your own decision. If you are in any doubt speak to the Town Clerk directly.

## **4. CRIMINAL LAW**

- 4.1. 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 Spennymoor Town Council.

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

## **5. LIMITS OF GUIDANCE**

5.1. This Protocol does not apply to:

- a. Gifts and hospitality you may receive from family and friends (as birthday or other festival presents) that are not related to your position as an Officer or Councillor. You should however question any such gift or hospitality offered from an unusual source.
- b. The acceptance of facilities or hospitality provided to you by Spennymoor Town Council.
- c. Gifts given to Spennymoor Town Council that you accept formally on the Council's behalf and are retained by the Council and not by you personally.

## **6. MEANING OF GIFTS AND HOSPITALITY**

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

6.2. Gifts and hospitality include:

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

6.3. Common gifts include pens, diaries, calendars and other business stationery, articles of clothing, books, flowers and bouquets. You should however be cautious when purchasing anything, when additional services, privileges or advantages are offered, which might be related to your position as an Officer or Councillor of Spennymoor Town Council.

## **7. APPROPRIATE GIFTS AND HOSPITALITY**

7.1. There are some circumstances where you may accept gifts and hospitality as being in the normal course of your duties as Officer or Councillor:

- a. Civic hospitality provided by another public authority.

- b. Normal and modest refreshment in connection with any meeting in the course of your work as an Officer or Councillor (e.g. tea, coffee and other normal beverages and biscuits)
- c. Tickets for sporting, cultural and entertainment events that are sponsored or promoted by Spennymoor Town Council or bodies to which you have been appointed by Spennymoor Town Council, and the tickets are offered in relation to that sponsorship or promotion.
- d. Small low value gifts (below £50.00 such as pens, calendars, diaries, flowers and other small mementos and tokens)
- e. Drinks or other modest refreshment in the normal course of socialising arising consequentially from Town Council business (e.g. inclusion in a round of drinks after a meeting)
- f. Modest meals provided as a matter of courtesy in the office or meeting place of a person with whom Spennymoor Town Council has a business connection.
- g. Souvenirs and gifts from other public bodies intended as personal gifts (e.g. arising from twin-town and other civic events)

## **8. PRINCIPLES TO APPLY IN RELATION TO GIFTS AND HOSPITALITY**

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

- a. Do not accept a gift or hospitality as an inducement or reward for anything you do as an Officer or Councillor. If you have any suspicion that the motive behind the gift or hospitality is an inducement or reward you must decline in.
- b. "Reward" includes remuneration, reimbursement and fee, offered, paid, promised or implied.
- c. Do not accept a gift or hospitality of significant value or whose value is excessive in the circumstances.
- d. 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 Spennymoor Town Council in a competitive tendering or other procurement process;
  - From applicants for planning permission and other applications for licences, consents and approvals in which Spennymoor Town Council has an involvement;
  - From applications for grants, including voluntary bodies and other organisations applying for public funding from Spennymoor Town Council;
  - From parties in legal proceedings with Spennymoor Town Council.

8.2. Do not accept a gift or hospitality if you believe it will put you under any obligation to the provider as a consequence.

8.3. Do not solicit any gift or hospitality and avoid giving any perception of so doing.

## **9. GIFTS RECEIVED AND DONATED TO THE MAYOR'S CHARITY**

9.1 Councillors may on receiving gifts of value pass them to the Mayor in relation to a charity fund rather than retain them personally.

9.2 Councillors should indicate this intention to the provider and should register this clearly (see Section 10).

## **10. REGISTRATION OF GIFTS AND HOSPITALITY**

10.1 Officers and Members are legally required to notify the Town Clerk of offers or receipts of gifts and hospitality of more than £50.

10.2. Councillors must, within 28 days of receiving any gift or hospitality over the value of £50.00, complete Section 3 of their "Register of Member's Pecuniary and Other Interests" form and return to the Town Clerk. The Town Clerk will then forward this to the Monitoring Officer at Durham County Council in order that this information can be displayed on the County Council's website (Note: this information will also be displayed on the Town Council's website).

10.3. Officers must, within 28 days of receiving any gift or hospitality over the value of £50.00, complete the "Officer Notification of Receipt of Gifts and/or Hospitality" form in Appendix 1 and return to the Town Clerk. The Town Clerk will then keep a permanent record thereof.

## **11. REPORTING OF INAPPROPRIATE GIFTS AND HOSPITALITY OFFERED**

11.1 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 an Officer or Councillor of Spennymoor Town Council.

11.2 You must immediately report to the Town Clerk of Spennymoor Town Council any circumstances where an inappropriate gift or hospitality has been offered to you, even when it is refused.

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

## **12. GIFTS AND HOSPITALITY OFFERED BY THE COUNCIL**

12.1 Council Members and Officers must be mindful that the value of all gifts and hospitality offered by the Council are sourced from public funding, and the expectation is that such funding will be used for legitimate purposes.

It may be appropriate for the Council to provide a gift of up to £50.00 in value, for example:

- A Civic Award e.g. Scroll of Honour
- An award to a member of staff
- A bouquet of flowers to a resident(s) celebrating a special event i.e. Golden Wedding Anniversary
- To cover the cost of a place at a Civic event e.g. Annual Civic Dinner
- A nominal donation in the memory of a former member, partner of a member, or other person of community notability at their funeral service, at the discretion of the Town Clerk.

12.2 Within 28 days of the offer of a gift and/or hospitality, a notification shall be made to the Town Clerk who shall keep a permanent record thereof.

12.3 Such record shall include:

- The name of the recipient;
- Details of the sponsorship, hospitality or gift and the estimated value thereof; and,
- Reason the above has been given.

12.4 A single spreadsheet will also be kept at the Town Hall, listing all offers of gifts and hospitality by the Council.

12.5 This information will also be published on the Town Council Website.

**APPENDIX 1 – OFFICER NOTIFICATION OF RECEIPT OF GIFTS  
AND/OR HOSPITALITY FORM**

**SPENNYMOOR TOWN COUNCIL**

**OFFICER NOTIFICATION OF RECEIPT OF GIFTS AND/OR HOSPITALITY**

<b>What was the gift and/or hospitality? Give full description.</b>	
<b>What is your best estimate of its market value or cost?</b>	
<b>Who provided it?</b>	
<b>When and where did you receive it?</b>	
<b>Signature:</b>	
<b>Name in print:</b>	
<b>OFFICE USE: Signature of Town Clerk:  Date Notification received by Town Clerk:</b>	