

Gifts and Hospitality Policy

October 2024



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Document History	
Version	1.2 (see below)
Status	Draft
Date	October 2024
Target audience	All employees of Reading Borough Council with the exception of Schools-based staff for whom alternative procedures apply
Ratification	To include Assistant Directors, Executive Directors, Chief Executive obtaining authorisation in line with policy
Author	HR
Target audience	All employees of Reading Borough Council with the exception of Schools-based staff for whom alternative procedures apply
Ratification	None
Author	HR Employment Services Team

Version control	Reviewers
Version 1.0	Initial draft – June 2020
Version 1.1	Final version agreed with Joint Trade Unions on 18 November 2020 and approved by Personnel Committee on 19 November 2020.
Version 1.2	Reviewed October 2024

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1. Objectives and scope

- 1.1 From time-to time officers are faced with the difficulty of deciding whether to accept offers of gifts or hospitality which arise during business activities. Whilst it is impossible to cover every set of circumstances, this policy should provide a basis for deciding in most cases.
- 1.2 This policy relates primarily to relationships with commercial bodies and outside individuals in the private sector. Different circumstances will usually apply where dealings are with other public authorities.
- 1.3 Officers are strongly advised to err on the side of caution when deciding whether to accept gifts or hospitality. If they are in any doubt in a particular case, they should consult their Assistant Director in the first instance. Advice can also be obtained from the Monitoring Officer.
- 1.4 This policy applies to all those working for Reading Borough Council, including those on permanent, agency, temporary or part-time contracts, job sharers, and employees on non-standard terms of employment. This also includes senior managers (Assistant Directors, Executive Directors, and Chief Executive) who should in turn ensure that their staff are given clear instructions. Generally, hospitality should be avoided unless a manager has agreed that the circumstances are such that a member of staff can properly accept hospitality as a representative of the Council.
- 1.5 It is the responsibility of the employee to seek approval from their Assistant Director, Executive Director, Chief Executive or Monitoring Officer **before** accepting any offer of hospitality or a gift of more than nominal value. This must be declared by completing the appropriate form in DASH.
- 1.6 Officers should be aware that it is an offence under the Bribery Act 2010 to accept a bribe (whether given directly or indirectly) as an inducement to improperly perform (or fail to perform) any act or function of a public nature. A

bribe can be any financial or other advantage, but it is made clear in the statutory guidance that this is not intended to cover genuine promotional materials or corporate hospitality, for example, there must be an intention to induce the officer in their official role. Following this policy will help to protect officers from inadvertently committing such an offence.

2. Gifts

- 2.1 The acceptance of gifts is a risky practice, and the general rule should be to refuse tactfully all such offers from organisations or persons who do, or might, provide work, goods, or services to the Council, or who need some decision from the Council, for example, in respect of a planning application.
- 2.2 If offered a gift, even one of a low nominal value (£25 or less), the employee is required to declare this to their line manager, who should decide if the gift is acceptable or should be declined. This must be declared by completing the appropriate form in DASH and will be filed on NEC via the HR & OD Hub.
- 2.3 If an employee has any about doubt whether a gift is of more than nominal value, they must seek advice from their Assistant Director, Executive Director, or the Monitoring Officer before accepting it.
- 2.4 Exceptions to this general rule would include modest gifts of a promotional character, including such things as calendars, diaries, articles for use in the office etc, or a small gift on the conclusion of a courtesy visit to a factory or firm.
- 2.5 Such exceptions relate only to modest gifts and obviously an expensive gift would raise questions even if it is impossible to be more precise in dealing with what does and does not amount to an acceptable gift. This is very much a matter for the individual judgement of senior managers, given the circumstances.

3. Hospitality

- 3.1 When to accept hospitality is again very much a matter of judgement given the circumstances, and it would be wrong to produce an atmosphere in which officers refused all invitations for social involvement with persons or bodies who have, or may seek to have in the future, business dealings with the Council. Contacts established at a social level can often be helpful in pursuing the Council's interests. What is important is to avoid any suggestion of improper influence or giving others the opportunity to raise a concern about improper influence.

3.2 The following are intended as examples only:

3.2.1 **Acceptable**

- (4) Meals provided to allow the parties to discuss business, or following or prior to, such a discussion. A useful test will often be whether you would provide refreshments if the venue was reversed.
- (ii) Invitations to institute dinners or functions, e.g., an invitation from private architects to the Royal Institute of British Architects' dinner.
- (iii) Invitations to seminars or similar where the event will help improve the professional knowledge of an officer to the benefit of the Council.

3.2.2 **Unacceptable**

- (4) Paid holidays or specials concessionary rates which are not openly and, as a matter of practice, available equally to other organisations. This would also apply to goods or services which may not be generally available to staff at that price.
- (ii) Offers of hotel and/or tickets for theatres or sporting events.
- (iii) The use of company flats or hotel suites.

4. Negotiations

- 4.1 When a particular person or body has a matter currently in issue or negotiation with the Council, then a more restrictive approach must be taken. This is even more relevant when, for example, negotiations are in train with an outside organisation. An important criterion in exercising your judgement is what interpretation others may reasonably put on your acceptance. For example, if negotiations will extend over a long period of time, it will be sensible to act as a host alternately with the other party.