



**General Purposes Committee**  
21 January 2014

**Report from the HR Director**

Wards affected:  
ALL

**Gifts and Hospitality Policy and Procedures**

**1.0 Summary**

1.1 Whilst reviewing all of our HR policies and procedures, the opportunity has been taken to update the current Gifts and Hospitality policy, in line with legal changes and best practice. This report provides details of the proposed new gifts and hospitality policy which will replace the current policy and the supporting operational arrangements.

**2.0 Recommendations**

- 2.1 The General Purposes Committee is asked to:
- a. agree the new Gifts and Hospitality Policy and Procedures.
  - b. authorise the HR Director, in consultation with the Leader and the relevant trade unions, to make such other changes as may be necessary from time to time to the Gifts and Hospitality policy and associated procedures to ensure they remain relevant and 'fit for purpose'.

**3.0 Detail**

3.1 The council regularly reviews its HR policy framework to align its policies and procedures to the organisational objectives, incorporate legislative changes and to reflect current modern HR practice.

3.2 The Bribery Act 2010 has replaced the Corruption Acts and provides the legal framework for the new policy. The Bribery Act is particularly complex and only a broad description of the offences have been included in the policy. These are sufficiently detailed, however, to enable the proper application of the policy. The Act will be referred to by the Audit team when required, to support the operational arrangements of the policy. The policy document is attached to the report for the Committee to consider.

- 3.3 The Bribery Acts require the widest coverage of people involved in delivering council services. In future the policy will also apply to agency and interim staff.
- 3.4 The proposed policy provides greater clarity on the type of function/hospitality/gift which can or cannot be accepted. For example, a working meal, or function at which other local authorities are represented for the purpose of a demonstration remain acceptable. An invitation to attend a function of a recognised professional institute, or an institute where the invitation is made by a private organisation, or invitations to social/sporting events where these are deemed to be genuinely part of the life of the community may be accepted. This includes the receipt of Wembley Stadium event tickets, which are allocated through a ballot process. All of these require management approval and must be recorded in the register. The policy equally makes clear hospitality which must be refused, such as expensive meals. A clearer specification of what constitutes a gift which has a token monetary value has also been incorporated.
- 3.5 The above clarifications ensure that the council's policy is fully compliant with the new legislation.
- 3.6 Introduction of the revised policy will be supported by an electronic recording system which will also facilitate regular monitoring.
- 3.7 CMT members are responsible for monitoring the consistent application and use of the policy in their service areas on a quarterly basis, and addressing any concerns.
- 3.8 Audit and Investigations will be responsible for monitoring the application of the policy on an annual basis. Audit will review the online register and raise concerns with the operational directors to ensure the proper and consistent use of the policy.

#### **4.0 Implementation Date**

- 4.1 It is recommended that the policy becomes live on 17<sup>th</sup> February 2014. This is to allow time for feedback from the managers briefing distributed on February 11<sup>th</sup>.

#### **5.0 Financial Implications**

- 5.1 There are no financial implications that impact on budgets from the review of the gifts and hospitality Policy.

#### **6.0 Legal Implications**

- 6.1 The Bribery Act 2010 replaces existing historic corruption acts and provides the legal framework for the gifts and hospitality policy.

#### **7.0 Diversity Implications**

- 7.1 The policy and procedure is applicable to all staff and provides a consistent approach to implementing gifts and hospitality arrangements, ensuring compliance with legal requirements. The policy will also ensure that the integrity of the council is maintained at all times. The gifts and hospitality policy will be continually monitored to ensure it is implemented fairly and consistently and in the best interest of the local community.

## **8.0 Staffing/Accommodation Implications**

- 8.1 The updating of the gifts and hospitality policy will ensure that employees are clear about how to respond to the offer of gifts and hospitality and in so doing protect both the interests of the organisation and its employees. There are no other implications in addition to those otherwise set out in the report. Consultation has taken place with the HR Improvement Group and CMT who have endorsed the approach. The trade unions have been consulted on this policy and their feedback has been considered when reviewing the policy.

### **Background Papers**

Existing Gifts and Hospitality Policy  
Code of Conduct for council employees  
Anti Fraud and Bribery Policy  
The Bribery Act 2010

### **Contact Officers**

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