

This Gifts and Hospitality Policy was adopted by the Council at its Meeting held on 20th September 2023 and will be reviewed triennial.

1. INTRODUCTION

1.1 The purpose of the Gifts and Hospitality Policy is to give guidance to Councillors, employees or volunteers of the Town Council on offers or acceptance of gifts or hospitality.

1.2 An offer or receipt of gifts or hospitality can be misinterpreted and place you in a situation where your integrity, personal reputation and that of Town Council may be questioned. Therefore, treat with extreme caution any offer or gift, favour or hospitality that is made personally; it may not be obvious that it is being made with an implied intention, but it is important that your independence should not be compromised.

1.3 Public Services Ombudsman for Wales, Code of Conduct states:

“It is important that you do not accept any gifts or hospitality for yourself, or on behalf of others, which would place you under obligation or appear to do so. Accepting such gifts or hospitality could be regarded as compromising your objectivity when you make decisions or carry out the work of your Council. This is also true of any services or gifts in kind. This does not prevent you from attending official events such as a civic reception or working lunch where these are authorised by your Council.....You should ask yourself, “would I have been given this if I was not on the Council?” If you are in doubt as to the motive behind a gift or hospitality, I recommend that you register it or speak to your Clerk.....However, you should always notify your Clerk of any gift or hospitality if it could be perceived as something given to you because of your position or if your Council requires you to do so.”

2. LEGAL POSITION

2.1 The Bribery Act 2010 (ss1-2) makes it an offence:-

- a. to offer, promise or give a bribe and
- b. to request, agree to receive, or to accept a bribe

as an inducement to gain an advantage in the conduct of business or for doing, or keep back from doing, anything in respect of any transaction of the authority.

2.2 The Local Government Act 1972 (section 117(2)), it is an offence for any officer of a local authority, in their office or employment, to accept any fee or reward whatsoever other than their proper remuneration.

3. POLICY

3.1 Meaning of Gifts and Hospitality

The expressions “gifts” and “hospitality” have wide meanings and no conclusive definition is possible. Gifts and hospitality can 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.

3.2 De Minimis

Town Council sets a “de minimis” value of £15.00p for gifts and hospitality above which such gifts and hospitality must be registered with the Town Clerk whether or not they are accepted.

3.3 Appropriate Gifts and Hospitality

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

- Civic hospitality provided by another public authority.
- Normal and modest refreshment in connection with any meeting in the course of your work as a Councillor, employee or volunteer (e.g. tea, coffee and other normal beverages, refreshments and biscuits).
- Tickets for sporting, cultural and entertainment events which are sponsored or promoted by the Town Council, or bodies to which you have been appointed by Town Council, where the tickets being offered are in relation to that sponsorship or promotion.
- Small low value gifts (below “de minimis”) such as pens, calendars, diaries, flowers, and other mementos and tokens.
- Souvenirs and gifts from other public bodies intended as personal gifts (e.g. arising from twin-town and other civic events).
- Drinks or other modest refreshment received in the normal course of socialising arising consequentially from Town Council business (e.g. inclusion in a round of drinks after a meeting).

3.4 Register of Gifts and Hospitality

The Councillor/employee/volunteer must as soon as possible, or within 28 days of being offered a gift/hospitality above “de minimis”, complete the Declaration of Receipt/Offer of Gifts/Hospitality form (*appendix 1*) whether the offered was accepted or declined. This completed form is to be returned to the Town Clerk. Whilst registration of gifts or hospitality above “de minimis” is required, there is no obligation to make a disclosure for items below that value. However, in the interests of openness and transparency, you are encouraged to register any gifts or hospitality received below this value.

Town Council will maintain as Register of Gifts and Hospitality which will be available for public inspection at Town Council’s office or website. The Register shall contain:

- Name of person making the declaration.
- Date of declaration.
- Nature of gift or hospitality offered.
- Date of offer.
- Circumstances in which the offer was made.
- Action taken by the Councillor/employee/volunteer.

3.5 Guidance

In deciding whether it is appropriate to accept any gift or hospitality, Councillors, employees and volunteers should:

- Treat with extreme caution the offer of any gift by organisations or persons who do, or might, provide work/goods/services to Town Council or who might be applying to Town Council for some kind of decision e.g. a grant, planning permission or competitive tendering. The best course of action is to refuse stating it is against the law and Council's policy.
- Consider whether this would have been offered if they were not part of Town Council.
- Not accept a gift or hospitality if you believe it will put you under any obligation to the provider as a consequence.
- Not solicit any gift or hospitality and avoid giving any perception of doing so.
- Not accept cash or monetary goods, with the refusal being notified to the Town Clerk as well as registering it as being offered and refused on the Declaration form (*appendix 1*).
- Not accept a gift or hospitality of significant value or whose value is excessive in the circumstances.
- If in doubt, seek advice from the Town Clerk.

4. LIMITS OF THE POLICY

4.1 This Policy does not apply to:

- Gifts and hospitality you may receive from family, friends and colleagues (as birthday or other festival presents) that are not related to your position in Town Council. You should however question any such gift or hospitality offered from an unusual source.
- The acceptance of facilities or hospitality provided to you by Town Council or other Councils/public bodies.
- The gifts given to Town Council that you accept formally, on Town Council's behalf, and are retained by Town Council and not by you personally.

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Notification of receipt of Gifts and/or Hospitality

A Councillor/employee/volunteer must, with 28 days of being offered a gift of hospitality provide written notification to the Town Clerk (by completion of this form) of the existence and nature of that gift/hospitality.

Name of Declarer	
Position of Declarer: e.g. Councillor/ Employee/Volunteer	
Date of Declaration	
Nature of Offer	
Date of Offer	
Circumstances of how Offer or Receipt of Gift or Hospitality arose	
The action taken by the Councillor/Employee/Volunteer	
Signature of Declarer	
Date of Receipt by Town Clerk	