



Newhaven Town Council

HOSPITALITY POLICY & PROCEDURE

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Purpose of this policy

This policy provides guidance when considering whether to accept gifts or hospitality from individuals or organisations, and if accepting such how to record this correctly.

It reflects directly on the public perception that Councillors and Officers of Newhaven Town Council (NTC) are acting in the public interest rather than for the personal advantage of friends and for what personal benefit they themselves derive from their position.

NTC must ensure that all Councillors and Officers are aware that they should not use their position(s) with the Council for their own personal gain or for the personal gain of third parties (normally external companies and suppliers) to whom they have a professional or business association.

The law on acceptance of gifts and hospitality is set out in the Bribery Act 2010. These legal requirements are supplemented by the procedures adopted by NTC to provide a set of rules for the protection of both Councillors, the Council and its Officers. Failure to follow this policy could lead to a code of conduct complaint or criminal proceedings under the Bribery Act 2010.

The scope of this policy

This policy applies to all Councillors as well as staff, whether full time, part time or temporary workers.

Definitions

For the purposes of this policy, the following definitions are implied:

- a) A gift is defined as anything given, a present, either in or out of working hours, by suppliers or potential suppliers usually endorsed with their trade name or logo, or consumables such as food and drink
- b) Hospitality is defined as “a friendly and generous reception and entertainment of guests” - this will include lunches, dinners, drinks, events or accommodation paid or provided by potential suppliers of any goods or services
- c) A reward is defined as “a thing given in recognition of service, effort or achievement” – this will include remuneration, reimbursement and fee, offered, paid, promised or implied.

POLICY

Code of Conduct

When Councillors make their Declaration and Acceptance of Office, they acknowledge in writing that they will comply with the adopted Code of Conduct. It is important that Councillors understand the Code of Conduct and adhere to the same.

General Provisions

NTC’s guidance is that any Councillor or Officer should treat any offer, gift, favour or hospitality that is made with caution as it may be perceived to have been made in connection with their position as a Councillor or Officer.

The acceptance of gifts or hospitality is not always unlawful or inappropriate. However, the decision in every case is whether it is appropriate to accept any gift or hospitality that might be offered to you, the source of the gift or hospitality and having regard as to how it might be perceived.

If any Councillor or Officer has any doubt over whether to accept a gift or hospitality, they should err on the side of caution and/or seek the advice of the Town Clerk.

Criminal Law

It is a criminal offence to corruptly solicit or receive any gift, reward or advantage as an inducement to do, or forbearing to do, anything in respect of any transaction involving NTC. 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 the Council.

Appropriate Gifts and Hospitality

There are circumstances during the formal course of their duties as a Councillor or Officer where gifts and hospitality may be accepted:

- Civic hospitality provided by another public authority
- Any formal invite to an event as a Councillor or Officer of NTC
- Normal and modest refreshment in connection with any meeting during a Councillor or Officers work (e.g., tea, coffee, normal beverages, biscuits and light lunches)
- Small low value gifts (below £25, such as pens, calendars, diaries, or other business stationery, flowers or other mementos or tokens)
- Tickets for sporting, cultural and entertainment events that are sponsored by NTC or bodies to which you have been appointed by the Council, and the tickets are offered in relation to that sponsorship or promotion
- Drinks or other modest refreshment in the normal course of socialising arising consequentially from NTC business (e.g. a round of drinks after a meeting).
- Souvenirs and gifts from other public bodies intended as personal gifts (e.g. arising from a Civic event).

Invitations to local Community clubs or groups hospitality events in an official capacity as a Councillor or Officer of NTC where hospitality is available.

Principles for Accepting Gifts and Hospitality

In deciding whether it is appropriate to accept gifts or hospitality, the Councillor or Officer must consider the following:

- Do not accept a gift or hospitality as an inducement or reward for anything you do as a Councillor or Officer. If you have any suspicion that the motive behind the gift or hospitality is an inducement or reward you must decline it
- Do not accept a gift or hospitality of significant value or whose value is excessive in the circumstances
- Do not accept a gift or hospitality if acceptance might be open to misinterpretation. Such circumstances will include gifts and hospitality:
 - i. From parties involved with NTC in a competitive tending or procurement process
 - ii. From applicants for planning permission and other applications for licences, consents and approvals in which NTC has an involvement, even as a consultee
 - iii. From applications for grants, including voluntary bodies and other bodies applying for public funding from NTC
 - iv. From parties in legal proceedings with NTC
- Do not accept a gift or hospitality if you believe it would put you under any obligation, consequently, to the provider
- Do not solicit any gift or hospitality and avoid giving any perception of doing so.

Procedure

Gifts Received and Donated to the Chair/Mayor's Charity

If accepting gifts or hospitality valued more than £25, Councillors or Officers must declare the same and pass them onto the Town Clerk to be used for fundraising activities for the current Mayors chosen charity(ies) rather than retaining them personally. Councillors or Officers should indicate this intention to the provider and should register this on the Register of Gifts and Hospitality (by completing the Declaration of Gifts and Hospitality form on Page 5 below and passing this to the Town Clerk).

Registration of Gifts and Hospitality

Where Councillors or Officers are offered a gift or hospitality, even if not accepted and regardless of monetary value, they must declare it by completing the Gift and Hospitality Form (see page 5 below) and passing this to the Town Clerk, who will enter it onto the Council's Register of Gifts and Hospitality.

Two separate Registers will be held, one for Councillors and one for Officers. All declarations must be made within 28 days of receipt of any offer or acceptance of any gift and/or hospitality.

In the situation of the Town Clerk being the intended recipient, they should include the entry in the Register of Gifts and Hospitality and inform the Chair to countersign acceptance or decline.

For Councillors, the Monitoring Officer at Lewes District Council will give advice wherever possible, but it will be a matter for the Councillor to make the decision on whether to accept or decline.

Reporting of Inappropriate Gifts and Hospitality Offered

It is a criminal offence for a person corruptly to give or offer a gift, reward or advantage as an inducement or reward to you for doing or forbearing to do anything as an Officer or Councillor of NTC.

You must immediately report to the Town Clerk of NTC any circumstances where an inappropriate gift or hospitality has been offered to you. You may thereafter be required to assist the Police in providing evidence.

This is a non-contractual procedure which will be reviewed from time to time.

Date of policy:	18/12/2024
Approving committee:	Full Council
Date of committee meeting:	14/01/2025
Supersedes (name of old policy and reference):	Hospitality Policy v1
Policy version reference:	AUHPO02
Policy adopted by Full Council on:	14/01/2025
Date for next review:	January 2027



DECLARATION OF GIFTS AND HOSPITALITY

Full Name	
Name of person or organisation from whom the gift or hospitality was received.	
Was the gift or hospitality accepted?	
Date gift or hospitality was received.	
Nature of gift or hospitality:	
When and where did you receive the gift or Hospitality?	
Was advice sought before acceptance and from whom?	
What is the estimated cost £?	
Any other comments	
Signature of Councillor/Officer	
Date	
Verifying Signature of the Town Clerk or Councillor.	
Date notification received.	