

BIRCHWOOD TOWN COUNCIL GIFTS AND HOSPITALITY POLICY

February 2023

Introduction:

Birchwood Town Council is generally guided by the advice on ‘Gifts’ and ‘Bribery and Corruption’ given in Section 139 of the Local Government Act, and the National Association of Local Council’s Legal Briefing Note L07-11 – ‘The Bribery Act 2010 – Impact on Local Councils’.

Councillors:

In order to protect their position and the reputation of Birchwood Town Council, Councillors should exercise caution in accepting any gifts or hospitality which are (or which they reasonably believe to be) offered to them because they are a Councillor.

The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case a Councillor could accept it but must ensure it is publicly registered.

Councillors do not need to register gifts and hospitality which are not related to their role as a Councillor, such as birthday presents from their friends and family.

It is appropriate to accept normal hospitality associated with their duties as a Councillor; for example, attending a buffet following their attendance at a Civic Service.

If a Councillor is unsure, they should contact the Town Council’s Clerk and/or the Monitoring Officer at Warrington Borough Council for guidance.

Councillors should not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on their part to show favour from persons seeking to acquire, develop or do business with the Council or from persons who may apply to the Council for any permission, support or other significant advantage.

Councillors should register with the Clerk and/or Warrington Borough Council’s Monitoring Officer any gift or hospitality with an estimated value of at least £50 within no more than 28 days of its receipt.

Councillors should register with the Clerk and/or Warrington Borough Council’s Monitoring Officer any significant gift or hospitality that they have been offered but have refused to accept.

Employees:

In order to protect their position and the reputation of Birchwood Town Council, Council Officers and staff should exercise caution in accepting any gifts or hospitality which are (or which they reasonably believe to be) offered to them because they are an employee of the Council.

The presumption should always be not to accept any gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness (e.g. a box of biscuits or chocolates from a resident) in which case an employee could accept it but must ensure it is registered with/reported to the Clerk as soon as possible.

As a general rule, small tokens of appreciation, such as flowers, chocolates, or a bottle of wine, may, with the knowledge and approval of the Clerk, be retained by employees.

Employees do not need to register gifts and hospitality which are not related to their role as an employee of the Council, such as birthday presents from their friends and family.

It is appropriate for employees to accept normal hospitality associated with their duties as a Council employee; for example, accepting refreshments (except alcoholic beverages) if working at a community event, such as Birchwood Carnival.

If an employee is unsure, they should contact the Clerk for guidance.

Employees should not accept gifts or hospitality, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on their part to show favour from persons seeking to acquire, develop or do business with the Council or from persons who may contact the Council for any other significant advantage.

Any gifts, rewards or entertainment received or offered by clients, suppliers, other business or partnership contacts, should be reported immediately to the Clerk. In certain circumstances, it may not be appropriate to retain such gifts or be provided with the entertainment and employees may be asked to return the gifts to the sender, or refuse the entertainment, for example where there could be a real or perceived conflict of interest.

Employees should register with the Clerk any significant gift or hospitality that they have been offered but have refused to accept.

Employees should also be guided by the 'Anti-Bribery Policy' within the Employee Handbook.

Note: The only 'gifts' received by Birchwood Town Council employees are usually small items such as bags of sweets, calendars or desk jotters. Sometimes a bottle of wine or similar may be sent unsolicited with an order; this would then be donated to a suitable local community tombola or raffle. Sweets, calendars, etc. are shared between staff.

If suppliers forewarn Officers that they will 'pop' something in with an order, we ask them not to. We politely ask suppliers to take 'gifts' away with them if they bring them directly to the office.