



THE LONDON BOROUGH
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Gifts and Hospitality Code of Conduct

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1 Why do we need a Code of Conduct?

As public servants, we have a special responsibility to maintain the highest standards of integrity. The public have a right to expect us to conduct our business openly and honestly, free of any suggestion of malpractice or corruption. This Code will help our staff to avoid being exposed to any suspicion of improper conduct. It will also protect them from the possibility of disciplinary action or even, in some circumstances, criminal prosecution.

2 What areas does the Code of Conduct cover?

In broad terms, it sets out the rules you should follow if you are offered gifts of any sort, hospitality (such as meals or drinks), invitations to events or the chance to attend conferences, study tours and exhibitions.

3 Isn't it an accepted part of business life for a supplier to offer gifts to valued customers?

Within reason, yes, but you should always ask yourself:

- i. Is this gift intended to influence any decision about doing business with that supplier?
- ii. How would it appear to the public if I accepted a gift from a supplier?

It's perfectly acceptable to receive small, low-value gifts such as diaries and calendars (but even then, you should only use them at work). You should not accept more valuable items – you should return them, explaining why it would be wrong for you to accept.

4 Wouldn't this cause offence?

Most reputable suppliers would understand why you felt unable to accept their gifts. If you are sure it would give offence to return the gift, you could donate it to the Mayor's Charity Fund or a similar charitable cause. Again, you should let the supplier know what you've done.

5 What about personal gifts which are given on 'civic occasions' – for example, town twinning visits?

Provided their value is not excessive, it is permissible to accept gifts of this sort, as they are not intended to influence your judgement on commercial matters. Any gift presented to the Council, rather than to you personally, should be handed over so that it can be dealt with accordingly.

6 Is it permissible to accept offers of hospitality, such as lunches or drinks?

It depends on the circumstances, the extent of the hospitality on offer and, of course, whether it would cause the public to doubt your (or the provider's)

integrity or motives if they knew about it. In any case, any hospitality should be kept within reasonable limits, and not appear extravagant.

Generally, 'civic hospitality' provided by other local authorities or public bodies is acceptable, since you will receive a formal invitation to the function and any hospitality will be open and above board. As a general rule, it is acceptable to attend any function where you have been invited to represent the Council in an official capacity.

7 What about hospitality offered by private companies or commercial organisations?

You need to consider the circumstances very carefully. If it is an organisation with which the Council already does business, modest hospitality may be an accepted part of the business relationship. Even then, you should be careful where the hospitality is not specifically business-related. For example, the organisation may wish to offer you hospitality as a token of their appreciation of the Council as a valued client. Provided that the level of hospitality is moderate, it would be reasonable to accept, unless:

- The renewal of the company's contract with the Council is imminent
- The company is, or may be, seeking other contracts with the council in the near future.

8 What if the company is one which presently does not do business with the Council?

Then you should refuse, except in rare circumstances. For example, where a local company was holding a Centenary Dinner to which it was inviting leading councillors and senior officers of the Council, it would normally be acceptable to attend. However, any exceptions such as this are likely to be rare, and you should always think carefully before accepting.

9 Sometimes sponsors of conferences and seminars provide hospitality or entertainment for those attending. Is this permissible?

Generally yes, provided it is offered to everyone attending. However, if it is only offered to you, it is unlikely to be acceptable.

10 Does this apply to study trips organised by commercial organisations, too?

Yes. If the invitation to take part in a study trip is extended to everyone, then it is normally permissible to accept. If it is not, you should not usually accept.

11 Sometimes sponsors of exhibitions and demonstrations offer ‘expenses-paid’ invitations to attend their events. Is this acceptable?

If there is a good reason to attend (for example, to inspect equipment which the Council is thinking of buying), you should accept if you feel it is appropriate. Even then, you should consider whether it is proper for the Council, rather than the sponsors, to meet the costs of attending.

12 It’s quite common in business to offer valued customers other forms of hospitality, such as tickets for the theatre or sporting events. Is this acceptable?

Again, you should ask yourself the 3 basic questions:

1. Is the level of hospitality reasonable or extravagant?
2. Would it influence my judgement unduly?
3. Would it appear to an outsider that it was an improper inducement?

Normally, it would be difficult to justify accepting hospitality of this type.

13 Are there particular rules about trips abroad?

Firstly, you must decide whether the trip is for legitimate business purposes (e.g. to attend a relevant conference or seminar). If not, or if you have doubts, you should not go anyway.

Secondly, as discussed under Q.11, you need to consider whether, if someone other than the Council is to meet the cost, this is appropriate, or whether the cost should be borne by the Council.

If you still believe that you should make the trip:

- If it is to a European Union (EU) country, your Chief Officer has authority to give approval.
- If it is to a country outside the EU, prior approval is needed from the relevant service committee.

(N.B. these rules about approval apply whether the proposed trip is to be paid for by the Council or by someone else).

14 Does the Code apply even when the gift or hospitality is offered to me personally, rather than as an employee of the Council?

You should ask yourself whether the offer really is being made to you. Would it have been made if you didn't hold your position with the Council? If not, or if the person making the offer has any connection, or potential connection, with the Council, then you should decline.

There are likely to be very few occasions when an offer is genuinely personal, rather than job-related, and if you have any doubts at all you should decline.

15 If I am satisfied that it is proper to accept an offer of a gift or hospitality, should I record it in any way?

Yes. Each Chief Officer keeps a register in which you should record the details of any gift, hospitality, entertainment or similar which you have accepted. Details of where the Register for each department is kept are set out in section 19 below.

Remember that the register is only for legitimate hospitality. If the hospitality or gift was improper in the first place, you will not make it legitimate simply by recording it in the register – you should not have accepted it in the first place!

Each department gets one of its senior officers to review the items registered periodically. If they have any concerns, or feel that further guidance is needed for individuals, the department can then decide what action needs to be taken.

16 If I fail to follow this Code, am I liable to sanctions?

Yes. If you accept personal inducements from companies to place orders or contracts with them, you will lay yourself open to disciplinary action, which could result in dismissal. If you feel an offer is being made to you specifically to pressurise you into doing business with a company, then you should report it to your Chief Officer immediately.

It is also important to enter any hospitality or gifts you do accept in the register. If you fail to do so, you could be liable to criminal proceedings for failing to declare a pecuniary interest, which could result in imprisonment and dismissal.

17 Who can give me advice if I'm unsure about what to do?

The best thing to do is to discuss it with your immediate manager, who can advise you what you should do.

18 Can you summarise the rules for me?

If you are offered any gifts or hospitality, you should:

1. Ask yourself:
 - Is it extravagant or reasonable?
 - Is it intended to influence my decisions about doing business with a supplier?
 - How would it appear to the public if I accepted a gift or hospitality from a supplier?
2. Decline the offer if you think it is improper for any of these reasons.
3. Declare it in the register if you accept it.
4. Seek advice if you are in any doubt, and use your common-sense and discretion.

Although it is unlikely that any gifts or hospitality you are offered will have an improper motive, you should remember that, as a public servant, you must be above suspicion at all times. If you can show that you've followed this Code of Conduct, then your behaviour cannot be challenged in any way.

19. Departmental Registers

A Gifts and Hospitality Register is maintained in each Department, and checked on a regular basis by a senior officer.

Department	Location of register	Officer responsible
Councillors	W88, West Wing	Graham Walton (x7743)
Education, Care & Health Services	2nd floor Stockwell	Nigel Hutton (x7649)
Education, Care & Health Services	2 nd floor Stockwell	Dean Rickwood (x4347)
Chief Executive's	Palace - P26	Gemma Williams (x4656)
Public Health	3 rd floor, Stockwell	Sheila Aspland (x4167)
Environment & Community Services	R63, 1 st Floor, Rochester Block	Yvonne Burke (x4443)
Regeneration & Transformation	East Wing	Victoria Faint (x7987)
Finance	2 nd floor, Stockwell	Caroline Tickner (x4338)
Corporate Services	Ground Floor, St Blaise	Jane Hobin (x4741)

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