



Uryside School

Hospitality and Gifts Policy

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Aberdeenshire Council requires that its employees adopt a high moral, ethical and legal standard in their relationships with all companies or organisations and individuals with whom they do business. It is important that all employees are aware of the ethical and financial regulations in connection with the acceptance of provision of hospitality and gifts. This policy contains the practices and procedures which must be followed in relation to fees, hospitality and gifts.

Aberdeenshire Council is required to comply with the Ethical Standards in Public Life (Scotland) Act 2000 and the Code of Conduct for Councillors (March 2002 issued under that Act.

Scope

This policy will apply to all permanent and temporary employees (including volunteers) of Aberdeenshire Council, and will ensure compliance with the Council's Financial Regulations, and Strategy for the Prevention of Fraud and Corruption, which are available on the employee intranet, and the corporate Document Library.

Accepting Gifts

Aberdeenshire Council does not believe that giving and receiving gifts is appropriate to the proper conduct of its business. There are, however, limited exceptions to the policy. Employees should therefore be aware which gifts they may keep and which are unacceptable. The offer of gifts generally should be treated with caution. Gifts that could be considered as nominal (and do not require to be recorded) and may therefore usually be accepted include ones of a promotional nature e.g. diaries, pens, calendars etc. Gifts offered under the following circumstances would also be acceptable:

- Book vouchers or a bottle of wine, whisky etc, for giving presentations at conferences or seminars.
- Retirement gifts from an outside organisation or company to an employee who has had a long association with them. e.g. vouchers
- Only a small gift should be accepted (e.g. a Social Work client or parent/pupil) at a holiday time, for example a box of chocolates or toiletries.

However if the employee has concerns about the gift's intention or is offered at any other time, employees must seek advice from their line manager. The above list is not exhaustive and if in doubt, an employee should discuss the matter with their line manager, or a senior manager within their service. It should also be noted that the receiving of gifts is acceptable in an isolated or seasonal time only and that the receiving of gifts on a more frequent basis is not acceptable.

The Head of Legal and Governance is responsible for keeping records of any gifts received by Aberdeenshire Council employees in relation to guidelines outlined in this Policy. Thus services are required to ensure that prompt notification is given to the Head of Legal and Governance of any gifts received in order that they are logged appropriately. Any offer of cash or reward in kind, other than the above, should be declined and reported to the Head of Legal and Governance.

Officers who are members of a professional body should also refer to that body's own Codes of Practice for further advice on the matter e.g. Codes of Practice for Social Service Workers. Any member of staff who is given or offered a gift of any sort by a business contact, supplier, contractor or member of the public must disclose receipt of that gift and its nature to his or her immediate line manager.

It is important that, except as stated previously employees should not accept remuneration in cash or kind from those who use our services as our suppliers. If it is decided by the line manager that the gift might constitute a bribe or other inducement the employee will be required to return the gift to the donor politely explaining the Council policy on receipt of gifts.

There is also a requirement to notify Internal Audit of any such instances. In exceptional cases where it is decided by the line manager that to return or refuse the gift would cause serious damage to the working relationship between the Council and the donor and that the gift was made as a token of the donor's gratitude for a service already carried out to a very high standard, the recipient will be allowed to retain the gift. If the gift is of high value, this must be reported to the Head of Legal and Governance as Monitoring Officer to log in the Hospitality Register. Failure to disclose receipt of gifts may result in the Disciplinary Procedure being invoked. In cases where a gift has been given to the recipient who is in a position to influence business dealing with or on behalf of the donor, the offence will be treated as gross misconduct under the terms of the Disciplinary Procedure. Employees are also required to note that acceptance of a payment or gift under such circumstances may constitute an offence under S. 68 of the Local Government (Scotland) Act 1973, Prevention of Corruption Acts and/or the Bribery Act 2010.

If any member of staff is asked to choose a small remembrance from a client's effects after their death, please report this to your immediate line manager, in order that the matter can be dealt with in an appropriate and sensitive manner. (Line manager may contact Head of Legal & Governance or Human Resources for guidance if required). 08-07-2015 6/7 Employees should not accept discount on any purchase or service which is directly being offered as a consequence of the employee's position or role within Aberdeenshire Council. (Please note this does not apply to corporate discount schemes offered to all local government employees).

Accepting Fees

The Council will not normally restrict employees from undertaking work on their own behalf or with other employers provided such work does not conflict with their paid employment with the Council, impair in any way the performance of their Council duties or involve the use of knowledge and information concerning Council business or materials, equipment or tools belonging to the Council. This includes persons who are Directors/Partners of businesses. Employees must seek written approval from their line manager before taking on such employment, except teaching staff who should seek written approval from their Director.

Employees are sometimes requested to give lectures/advice etc., using their professional skills and expertise, for organisations other than the Council. If the work forms part of the duties of the post, and the employee is carrying out an official duty, they must not retain any fee, commission or other payment collected. If a fee is given it should be forwarded and declared to their Head of Service. If the lecture or work does not form part of their duties, employees may retain the 'fees' provided that the preparation and the lecture/advice is undertaken in the employee's own time and the employee is not acting as a representative of the Council. The Council will not provide the equipment and/ or materials used. If an employee believes bribery or a breach of this policy has taken place, this must be reported to the Monitoring in accordance with the Disclosure of Information (Whistleblowing) Policy. All incidents reported will be kept confidential.

Any breach of this Policy or Procedure or attempt at bribery by an employee will result in the instigation of procedures under the terms of Aberdeenshire Council's Disciplinary Policy and may result in police action.

Reviewed April 2019