

## **Devon and Severn Inshore Fisheries and Conservation Authority (D&SIFCA) Gifts and Hospitality Policy and Procedure**

### **Gifts and Hospitality Policy**

This policy applies to all managers and eligible employees of Devon and Severn Inshore Fisheries and Conservation Authority (D&SIFCA). It sets out D&SIFCA policies and procedures relating to the receipt and offering of Gifts and Hospitality.

#### **Policy**

##### **1. Policy statement**

D&SIFCA must be able to demonstrate the highest standards of probity in relation to its dealings with third parties. These relationships are subject to close scrutiny, both through formal and regular channels such as our auditors, and also through more ad hoc channels such as Freedom of Information requests.

##### **2. Principles**

The following principles will apply to the operation of this policy:

- a) All employees and managers will be committed to this policy and are responsible for ensuring that it is effective
- b) Employees will not solicit gifts and hospitality from Third Parties.
- c) Records will be kept of the actions and outcomes of the procedure in accordance with the Data Protection Act 1998 (from 5/2018 General Data Protection Regulations)
- d) Failure to adhere to the guidance on this policy is a disciplinary offence, and will be taken very seriously. Disciplinary action will be taken in the event of:
  - Failure to maintain a Gifts and Hospitality Register.
  - Failure to declare gifts or hospitality accepted other than the exceptions outlined below.
  - Acceptance of gifts or hospitality with a value of over £25 where approval is not obtained from the authorising officer.
  - The use, or attempted use, of D&SIFCA funds for the purchase of any gifts or staff entertaining.
  - The use, or attempted use, of D&SIFCA funds for business entertaining except in the circumstances outlined below and where the expense has been approved in advance by the authorising officer.
- e) Gifts or hospitality should be declared on the Gifts and Hospitality Register within 28 days of being offered even when rejected, and it is expected that all offers with a value of £25 or more will be entered on the Register.

**HR ONE, Great Moor House, Bittern Road, Sowton, Exeter, EX2 7NL.**

**Tel: 01392 385555, Email: [hrdirect@devon.gov.uk](mailto:hrdirect@devon.gov.uk)**

**[www.hrone.co.uk](http://www.hrone.co.uk)**

### 3 Receiving Gifts and Hospitality

This section provides guidance on how to deal with offers of gifts or hospitality by any third party to any employee of D&SIFCA.

Offers of gifts and hospitality with a value of greater than £25 should be declined and should always be declared in the Gift and Hospitality Register. This is to avoid giving rise to suspicion about the honesty and integrity of D&SIFCA and its employees, or giving the impression of corruption or improper behaviour.

When dealing with gifts and hospitality it is always better to err on the side of caution and decline the offer. If it is likely that a typical member of the public would think that a specific gift or incidence of hospitality is inappropriate, then it probably is and should therefore be declined.

- 3.1 It is the responsibility of the Chief Officer to establish and maintain a Gifts and Hospitality Register in the format outlined in Appendix A. The Chief Officer will periodically review the register to ensure that this policy is being complied with.

The register will be used to maintain a full record of all offers of gifts and hospitality offered and received, irrespective of whether they were accepted; all employees are responsible for updating this register and that all offers of gifts or hospitality are recorded with the exception of:

- Promotional Gifts/Merchandise e.g. pens, diaries etc., with a value less than £25. If the value of the items either collectively or individually is likely to be over £25, then the offer should be declined and a declaration made in the Gifts and Hospitality Register.
- A working lunch provided during a meeting or seminar attended on behalf of the D&SIFCA or in the course of carrying out duties for the D&SIFCA, with a value no more than £25.

- 3.2 The following may be acceptable, but must be declared and approved by the Chief Officer (or Chairman in the case of offers to the Chief Officer) **prior** to acceptance:

- i) Subsidised or free of charge courses and conferences, where it is clear that:
- The content is relevant to D&SIFCA's business.
  - Purchasing and other decisions are not compromised.
  - Hospitality is corporate rather than personal.
  - Hospitality is not directed at only D&SIFCA employees.

- 3.3 Offers which might be deemed acceptable on a one-off basis may become unacceptable if provided on a regular basis or during a sensitive period. All declarations should be approved by the Chief Officer (or Chairman in the case of

**HR ONE, Great Moor House, Bittern Road, Sowton, Exeter, EX2 7NL.**

**Tel: 01392 385555, Email: [hrdirect@devon.gov.uk](mailto:hrdirect@devon.gov.uk)**

**[www.hrone.co.uk](http://www.hrone.co.uk)**

offers to the Chief Officer), to ensure they are aware of all offers made, even where these are declined. If in doubt as to the most appropriate action, officers should seek the advice of the Chief Officer (or Chairman in the case of offers to the Chief Officer).

All other offers should be declined, but must still be declared using the Gifts and Hospitality Register. The refusal of gifts or hospitality should be handled with tact and courtesy.

- 3.4 The following are other examples of offers which must not be accepted, but must be declared (this list is not exhaustive):
- Offers of a high intrinsic value or resale value (e.g. expensive gifts, theatre tickets, invitations to prestigious sporting events).
  - Provision of holiday or weekend hospitality or the use of company flats etc. Offers from a consultant or potential contractor or tenderer during contract negotiations or tendering period (unless this is purely incidental such as sampling a product as part of the contract evaluation process). Where visits to inspect equipment etc. are required employees should ensure that the D&SIFCA meets the cost of such visits to avoid jeopardising the integrity of the subsequent purchasing decisions.

#### 4.0 Offering Gifts and Hospitality

The purpose of this section is to provide guidance on when gifts and hospitality may be provided by D&SIFCA.

- 4.1 D&SIFCA funds should never be used to purchase gifts of any kind. This includes:
- Greetings cards, gifts, gratuities or donations of any kind to external bodies or individuals (including D&SIFCA staff)
- 4.2 D&SIFCA funds should not normally be used for offering hospitality to third parties.

If it is likely that a 'typical' member of the public would think that using D&SIFCA funds to offer hospitality is inappropriate, then it probably is and should therefore not be offered.

In **exceptional** circumstances individuals may be in a position where they are required to provide hospitality (e.g. buying lunch for a business meeting). The need to incur such expenses must be approved in advance by the Chief Officer (or Chairman in the case of the Chief Officer). In these circumstances there must be appropriate supporting information provided with the claim which includes relevant receipts and demonstrates the authorisation given, the reasons for the need to offer hospitality, and the names of those involved (both those of the external body offered the hospitality, and any D&SIFCA employees present).

**HR ONE, Great Moor House, Bittern Road, Sowton, Exeter, EX2 7NL.**

**Tel: 01392 385555, Email: [hrdirect@devon.gov.uk](mailto:hrdirect@devon.gov.uk)**

**[www.hrone.co.uk](http://www.hrone.co.uk)**

Policy history:	<ul style="list-style-type: none"><li>• Final draft completed on January 2015 by Richard Vain, HR Adviser, HR ONE</li><li>• Reviewed in January 2016 by Emma Gill, HR Adviser, HR ONE</li><li>• Reviewed in January 2018 by Karen Stagg, HR Adviser, HR ONE</li></ul>
-----------------	---

**HR ONE, Great Moor House, Bittern Road, Sowton, Exeter, EX2 7NL.**  
**Tel: 01392 385555, Email: [hrdirect@devon.gov.uk](mailto:hrdirect@devon.gov.uk)**  
**[www.hrone.co.uk](http://www.hrone.co.uk)**

Please be aware that you may need to amend your policies to comply with any changes in the law that occur after the date of this document. This does not constitute legal or other professional advice and should not be relied on as such. Specific advice should be sought on your individual circumstances. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without the prior permission of the copyright owner. Devon County Council 2010



Appendix A:



### Gift and Hospitality Register

Date of gift/ benefit/ hospitality:	Description of gift / benefit / hospitality:	Estimated Value:	Person / body providing gift/benefit hospitality:	Gift / Hospitality Accepted (Y/N)?	Reason for acceptance:

**HR ONE, Great Moor House, Bittern Road, Sowton, Exeter, EX2 7NL.**  
**Tel: 01392 385555, Email: [hrdirect@devon.gov.uk](mailto:hrdirect@devon.gov.uk)**  
**[www.hrone.co.uk](http://www.hrone.co.uk)**

Please be aware that you may need to amend your policies to comply with any changes in the law that occur after the date of this document. This does not constitute legal or other professional advice and should not be relied on as such. Specific advice should be sought on your individual circumstances. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without the prior permission of the copyright owner. Devon County Council 2010