

DOWNHAM MARKET TOWN COUNCIL GIFTS AND HOSPITALITY POLICY FOR COUNCILLORS AND STAFF *draft*

Date of Adoption: 23 January 2024

1. COUNCIL COMMITMENT

Downham Market Town Council (hereinafter referred to as the Council) requires Councillors to complete a Declaration of Members's Interest form in taking office and to submit this form to the Monitoring Officer at King's Lynn and West Norfolk Borough Council (BCKLWN) within 28 days. If any change to circumstances occurs during a Councillor's term of office, a new declaration should be made within 28 days of that change occurring.

The Declaration of Interest form includes the registering of any gifts or hospitality worth at least £25 which the member has received by virtue of their office. All Declaration of Interest forms are recorded by BCKLWN and can be viewed on their website.

Councillors should be cautious of accepting any offer or gift, favour or hospitality that could be perceived as a result of their position as a Town Councillor.

It is not always inappropriate or unlawful to accept a gift or hospitality, but each individual case should be considered as to whether it is appropriate to accept any gifts, or hospitality and Councillors should have regard to how the acceptance could be perceived by others.

This policy also applies to staff employed by the Council.

2. LEGAL CONTEXT

The law on acceptance of gifts and hospitality is set out in the Bribery Act 2010.

It is a criminal offence for a person corruptly to give or offer a gift, reward or advantage as an inducement or reward to a Councillor for doing or forbearing to do anything as a member of the Council. If this happens, a Councillor must immediately report to the Monitoring Officer any circumstances where an inappropriate gift or hospitality has been offered. A Councillor may thereafter be required to assist the Police in providing evidence.

Failure to notify the Town Clerk of the receipt of a gift or hospitality, worth at least £25, is a breach of this policy and consequently a breach of the Code of Conduct, or for staff could constitute gross misconduct. An alleged breach of the Code can be the subject of a complaint to the Monitoring Officer at BCKLWN who can decide whether there should be an investigation into the allegation. Alleged gross misconduct will be dealt with under the Council's Disciplinary Policy.

3. PERMISSIBLE GIFTS AND HOSPITALITY

There are some circumstances where a Councillor may accept gifts and hospitality as being in the normal course of duties as a member:

- . Civic hospitality provided by another authority.
- . Normal and modest refreshments in connection with any meeting in the course of work as a Councillor (e.g. tea, coffee and other normal beverages and biscuits).
- . Tickets for sporting, cultural and entertainment events which are sponsored or promoted by the Council or bodies to which a Councillor has been appointed by the Council, and the tickets offered in relation to that sponsorship or promotion.
- . Small low value gifts (below £25 such as pens, diaries, calendars, flowers and other mementos and tokens). Councillors and staff should be mindful of product placement in public locations, e.g. not using a pen or notepad displaying a company logo, in meeting rooms.
- . Drinks or other modest refreshment received in the normal course of socialising arising consequently from Council business.
- . Modest meals provided as a matter of courtesy in the office or meeting place of a person with whom the Council has a business connection.
- . Souvenirs and gifts from other public bodies intended as personal gifts (e.g. arising from civic events).
- . If uncertain whether the value is below £25, the safest course is to register it and give an approximate value.

4. GIFTS AND HOSPITALITY TO AVOID

Councillors may not accept a gift or hospitality as an inducement or reward for anything they do as a member of the Council. If a Councillor has any suspicion that the motive behind the gift or hospitality is an inducement or reward it should be declined and avoid giving any perception of soliciting such reward.

This includes gifts or hospitality:

- . of significant value or whose value is excessive in the circumstances.
- . from any of the following sources:

- o parties involved with the Council in a competitive tendering or other procurement process;
 - o applicants for planning permission and other applications for licenses, consents or approvals;
 - o applications for grants, including voluntary bodies;
 - o parties in legal proceedings with the Council.
- .
- if the Councillor believes there will be an obligation to the provider as a consequence.

5. REGISTRATION

A Councillor or staff member must, within 28 days of receiving ANY gift or hospitality over the value of £25, provide written notification to the Town Clerk to the existence and nature of that gift or hospitality. Any declined offer of a gift and/or hospitality over the value of £25 must be registered, since this protects the position of the Councillor, staff member and that of the Council.

This policy will be monitored and reviewed every three years.

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