

report

meeting	NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE & RESCUE AUTHORITY	
date	15 April 2005	agenda item number

REPORT OF THE CLERK TO THE FIRE & RESCUE AUTHORITY

GIFTS AND HOSPITALITY POLICY

1. PURPOSE OF REPORT

The purpose of this report is to present to the Fire Authority a proposed Gifts and Hospitality Policy.

2. BACKGROUND

- 2.1 In 1994, the Government set up the Committee on Standards in Public Life (the Nolan Committee) to make recommendations on ethical standards in the public sector.
- 2.2 As a consequence of the "Nolan Report" it was stated that all public bodies should have a Code of Conduct for appointed/elected Members and Officers that regulates the acceptance and provision of gifts and hospitality.
- 2.3 Whilst Authority Members will have an accepted Code of Conduct in regard of their primary elected role, guidance and standards with regard to their Fire Authority duties is required.

3. REPORT

- 3.1 In terms of accountability it is important for every organisation to have in place a series of written policies that clearly regulates the relationship between the Authority, its staff and the external environment.
- 3.2 These policies provide a safeguard for the Authority in providing clarity about the standards the organisation sets and what it expects of its Members and Officers.
- 3.3 The acceptance of gifts and offers of hospitality can easily give rise to suspicions of improper conduct, particularly if they are offered by individuals or companies that are undertaking, or helping to undertake, business with the organisation.
- 3.4 As a consequence, Nottinghamshire Fire & Rescue Service has produced its own Gifts & Hospitality Policy to assist both members and Officers in complying with the standards set by the organisation.
- 3.5 The Gifts & Hospitality Policy (attached as Appendix A) lays down the underlying principles of accepting and refusing gifts and hospitality, as well as providing a methodology for the recording of such instances.

- 3.6 The overriding objective is to ensure transparency in the dealings of the organisation, which in turn is a safeguard against allegations of misconduct. The fundamental principle of this policy is that an employee or representative of Nottinghamshire and City of Nottingham Fire & Rescue Authority should not do anything that might give rise to the inference that they have been influenced by a gift or hospitality to show bias for or against anybody or any organisation in carrying out their duties.
- 3.7 This policy should, for Fire Authority Members' purposes, also be read in conjunction with Section 16 of the Nottinghamshire and City of Nottingham Fire & Rescue Authority Financial Regulations, which lays out the ceiling value for Fire Authority Members.

4. FINANCIAL IMPLICATIONS

This policy lays down the accepted amounts for staff with regard to gifts and hospitality and, in conjunction with Section 16 of the Nottinghamshire and City of Nottingham Fire & Rescue Authority's Financial Regulations, advises Members on the ceiling value for gifts and hospitality.

5. PERSONNEL IMPLICATIONS

This policy will apply to all personnel associated and employed with the Nottinghamshire and City of Nottingham Fire & Rescue Authority.

6. EQUALITY IMPACT ASSESSMENT

This policy applies on an equal basis to all personnel associated with and employed by Nottinghamshire and City of Nottingham Fire & Rescue Authority.

7. RISK MANAGEMENT IMPLICATIONS

- 7.1 Failure to have a formally adopted Gifts & Hospitality Policy could leave Members, Officers and the organisation open to external challenge with regard to their role within the Authority and the Service.
- 7.2 A Gifts & Hospitality Policy is required to regulate the acceptance of such items and should form part of the Authority's Codes of Conduct.

8. RECOMMENDATIONS

- 8.1 That Members support the draft Nottinghamshire Fire & Rescue Service Gifts & Hospitality Policy.
- 8.2 That Members approve that the policy be forwarded to the Standards Committee for detailed scrutiny and amendment.
- 8.3 That following the Standards Committee meeting, the matter is again presented to the Fire Authority for formal adoption.
- 8.4 That the Policy forms an Appendix within the Nottinghamshire and City of Nottingham Fire & Rescue Authority Members' Handbook.
- 8.3 That the policy is approved for circulation to all employees of Nottinghamshire Fire & Rescue Service.

9. BACKGROUND PAPERS FOR INSPECTION

- The Nolan Committee Report 1994
- Local Government Act 2000
- The Nottinghamshire and City of Nottingham Fire & Rescue Authority Members' Handbook
- The Nottinghamshire and City of Nottingham Fire & Rescue Authority Financial Regulations

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CLERK TO THE FIRE & RESCUE AUTHORITY

NOTTINGHAMSHIRE FIRE & RESCUE SERVICE



GIFT AND HOSPITALITY POLICY

December 2004

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1. Introduction

- 1.1 This policy sets out guidance for Fire and Rescue Authority members and staff, on the principles governing the acceptance of gifts and hospitality.
- 1.2 The overriding objective is to ensure transparency in the dealings of the organisation, which in turn is a safeguard against allegations of misconduct. The fundamental principle of this policy is that an employee or representative of Nottinghamshire Fire and Rescue Service should not do anything that might give rise to the inference that they have been influenced by a gift or hospitality to show bias for or against anybody or any organisation in carrying out their duties.
- 1.3 Nottinghamshire Fire and Rescue Service expects all staff, and Authority members to comply with this policy. Failure to do so they result action under appropriate disciplinary procedures.
- 1.4 This policy should be read, in conjunction with the Anti-Fraud policy.
 - The Authority's position on the giving and receiving of gifts or hospitality for Members is also laid down in Section 16 of the Nottinghamshire and City of Nottingham Fire and Rescue Authority Financial Regulations.

2. Gifts

- 2.1 In general, all gifts should be refused. However, in cases where refusal is likely to offend the donor, some discretion may be exercised. The offer of a gift should be reported to the Head of Finance and Resources who will decide, based on the nature, volume and origin of the gift, whether it should be refused, accepted or donated to charity.
- 2.2 Staff may accept occasional seasonal gifts of a low value such as calendars, diaries and pens. It is not necessary to ascertain the exact value of such gifts but anything that appears to be worth more than £25 should not be accepted. Staff should exercise careful judgement in such cases.
- 2.3 Trade or discount cards and any other services provided, which might allow staff to benefit pecuniary from the purchase of goods and services at reduced prices, are regarded as gifts and should not be accepted under any circumstances.

3. Hospitality

- 3.1 Working lunches on a modest scale, and on an occasional basis are part of normal business practice and staff are not required to obtain formal approval to attend them. However if staff receive a prior invitation to a more formal lunch or dinner considered to be outside those associated with their role, or regular working lunches, they must seek approval to attend. It is important that approval is sought as early as possible.
- 3.2 As is the case with gifts, the refusal of any invitation may sometimes cause embarrassment or appear to be discourteous and this must be taken into account by anyone considering or approving such an invitation. Individuals must also take account of the timing of the invitation in relation to decisions which the organisation may be taking effecting these offering the hospitality.
- 3.3 Invitations to other events such as launches, conferences, arts or sporting events etc. should be subject to the scrutiny given above.

3.4 Invitations to attend all-expenses paid study tours, site inspections or product demonstrations must have prior approval from the Head of Finance, particularly if overseas travel is involved.

4. Register

4.1 In order to counter any possible accusation or suspicion of improper conduct, Nottinghamshire Fire and Rescue Service will maintain a central register of gifts and hospitality. This register will be maintained by the Head of Finance and Resources* All gifts (except seasonal gifts of low value) and offers of hospitality (except to modest working lunches) should be recorded on a gift and hospitality form (Appendix A) and forwarded at the earliest opportunity. This applies whether they have been accepted or refused.

4.2 The register(s) will be inspected annually by the Treasurer to the Authority.

* In instances involving Fire and Rescue Authority Members the register will be maintained by the Clerk to the Authority.

5. Appendices

Appendix A – Gift and Hospitality Record Form



Nottinghamshire Fire and Rescue Service

Gift and Hospitality Record Form

Name _____

Department _____

1. Nature of gift or hospitality offered (including date on which hospitality was to take place)

.....
.....

2. Person and/or organisation who offered the gift or hospitality.

.....
.....

3. Was the gift/hospitality?

Accepted ?

Declined?

4. If the gift/hospitality was accepted who authorised acceptance and on what date?

.....
.....

5. Any other comment

.....
.....

Signature _____ Date _____

In all copies this form should be forwarded to the Head of Finance. (In the case of Members this should be forwarded to the Clerk of the Authority.)