



**NOTTINGHAMSHIRE**  
**Fire & Rescue Service**  
*Creating Safer Communities*

Nottinghamshire and City of Nottingham  
Fire and Rescue Authority  
Finance and Resources Committee

# CHANGES TO THE GIFTS AND HOSPITALITY POLICY

Report of the Chief Fire Officer

**Date:** 29 June 2018

**Purpose of Report:**

To seek approval from Members to revise the Gifts and Hospitality Policy.

## CONTACT OFFICER

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## 1. BACKGROUND

- 1.1 The Gifts and Hospitality Policy was reviewed previously and a number of changes are now included as a result of employee consultation.
- 1.2 The purpose of the policy is to provide guidance to employees and elected members about how to deal with offers of gifts or hospitality from third parties. The fundamental principle underlying the policy is that employees and members should not do anything that might result in a perception that they have been influenced by a gift or hospitality offer to show bias in carrying out their duties.
- 1.3 An internal audit report on Anti-Fraud and Anti-Corruption procedures within Nottinghamshire Fire and Rescue Service (NFRS) found that the record maintained of gifts and hospitality declarations did not constitute a register as implied by the policy, and had not been inspected annually. It also found that guidance was unclear and recommended that examples be given on what should or should not be accepted.
- 1.4 The revised policy is shown at Appendix A.

## 2. REPORT

- 2.1 The key changes to the policy arising from the latest review, the internal audit report on Anti-Fraud and Anti-Corruption procedures and staff consultation are:
  - The policy has been reformatted using the new template for policies.
  - Greater clarity has been provided by, for example, including a list of exemptions from the policy and including a flowchart of the process.
  - The policy has been tightened for employees who are involved with the procurement, award or management of contracts as it is this group of employees who are most at risk of accusations of bias following offers of gifts or hospitality.
  - The changes also make clear the policy includes managers and staff with budgetary responsibilities or those in a position to influence decision making regarding suppliers.
  - The policy now states that the registers of gifts and hospitality will be published on the Service's website annually, whereas it previously said that these would be made available on request.

- The Nolan principles have been included in the policy as background information to explain why this policy is important, with the principles of integrity and accountability highlighted as particularly relevant.
- The value of any gift or hospitality has been reduced from £25 to £10 including VAT to correspond with CFOA's Strategic Commercial Board's Ethical Code of Conduct published in 2017. As the procurement category lead for construction and facilities management NFRS is a member of this board.
- Marketing emails received by NFRS staff offering incentives such as gifts or hospitality that are generated for the purpose of marketing and the like are included in the policy.
- The inclusion for the need to make a declaration if staff have been entered into a free raffle by suppliers.

### **3. FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from this report.

### **4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS**

- 4.1 This policy is especially relevant to all elected members and to the group of employees who are potentially in a position to influence decision making, particularly in the procurement of goods and services. Once the policy has been consulted upon and if agreed, adopted, it will be sent to all senior and middle managers, all Procurement Section employees and all budget holders who will be asked to read and note the policy and to explain it to all employees in their teams who might be offered gifts or hospitality.
- 4.2 The Monitoring Officer will be asked to circulate the policy to elected members.

### **5. EQUALITIES IMPLICATIONS**

An Equality Impact Assessment has been undertaken (shown at Appendix B) and has assessed the impact of this policy to be neutral for all groups.

### **6. CRIME AND DISORDER IMPLICATIONS**

There are no crime and disorder implications arising from this report.

## **7. LEGAL IMPLICATIONS**

The report acknowledges the seven principles of public life are principles which should be adopted by those working in public service, but they are not a legal requirement.

## **8. RISK MANAGEMENT IMPLICATIONS**

- 8.1 This policy is designed to be a risk control measure to manage the risk of reputational damage caused by the perception that an employee or an elected member has shown bias in the carrying out of their duties.
- 8.2 The policy also addresses the potential risks associated with the current legislation related to the requirements for Anti-Fraud and Anti-Corruption.

## **9. COLLABORATION OPPORTUNITIES**

There are no know collaboration opportunities from this report.

## **10. RECOMMENDATIONS**

That Members agree to the revisions to the Gifts and Hospitality Policy.

## **11. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)**

None.

John Buckley  
**CHIEF FIRE OFFICER**



**NOTTINGHAMSHIRE**  
**Fire & Rescue Service**  
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# Title: GIFTS AND HOSPITALITY POLICY- **DRAFT**

## Document:

**Scope:** This policy applies to all employees of Nottinghamshire Fire and Rescue Service and all elected members of Nottinghamshire and City of Nottingham Fire Authority.

**Summary:** The purpose of this policy is to set out guidance for Fire and Rescue Authority members and employees on the principles governing the acceptance or declination of gifts and hospitality.

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## Information Delivery System (IDS)

The IDS use colour to identify sections within documents, namely:

Section	Colour	Purpose
Key		Is critical 'need to know' information and can consequently be found at the front of the document.
Primary		Is information that supports and elaborates on key information, but is not immediately critical in nature.
Support		Is background information that further underpins the previous sections.
Appendices		Is relevant information such as process maps, tick lists, flowcharts and templates etc.
Document History		Is a detailed history of the document and indicates which department 'owns' it.

## 1. Introduction

- 1.1 This policy sets out guidance for Fire and Rescue Authority Members and employees, on the principles governing the acceptance or declination of gifts and hospitality whilst carrying out duties in their official capacity or otherwise when they are seen as representing the Service.
- 1.2 The overriding objective of this policy is to ensure transparency in the dealings of the organisation, which in turn is a safeguard for individuals and the organisation against allegations of misconduct. The fundamental principle of this policy is that an employee of Nottinghamshire Fire and Rescue Service or a member of the Fire 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 any person or any organisation in carrying out their duties.
- 1.3 All employees and Authority members must comply with this policy. Failure to do so may result in action under appropriate disciplinary procedures.
- 1.4 This policy should be read in conjunction with the Anti-Fraud and Anti-Corruption policy, which includes reference to the Bribery Act 2010.
- 1.5 Gifts and hospitality are also referred to in Section 6 of the Nottinghamshire and City of Nottingham Fire and Rescue Authority Financial Regulations.

## 2. Gifts

- 2.1 The offer of any gift or hospitality with a single or collective value of £10 including VAT (including entry into free raffles or draws sponsored by suppliers) or more must be reported in writing to the Fire & Rescue Authority's Head of Finance (for employees) or the Monitoring Officer (for Members) using the appropriate form (see Appendices section) as soon as possible and within twenty-eight days of the offer being made but in all cases before any acceptance is made.
- 2.2 The Head of Department (for employees) must also be informed of any offer of any gift or hospitality before it has been accepted or declined.
- 2.3 When deciding whether or not to accept an offer all employees and Members must apply the principles set out in this policy in determining how the receipt of that gift will, or could be, interpreted by a reasonable member of the public, taking all the specific circumstances into account. Although refusal may offend the donor, the requirement for transparency in such matters must surpass any consideration for the donor. The general expectation is that most offers of gifts or hospitality will be declined in order to preserve the integrity of the Service and its employees and Members.
- 2.4 Unexpected gifts donated in public may be return to the donor privately. However, the Fire & Rescue Authority's Head of Finance (for employees) or Monitoring Officer (for Members) should be informed of the situation in writing as soon as possible after the event and certainly within 28 days. Suitable

gifts may be retained by the Service for display or other purposes as agreed by the Head of Finance, or the Monitoring Officer.

- 2.5 In situations where a number of gifts are offered by or from the same source over a period of time, and the value of the individual gifts is less than £10 including VAT, but the cumulative value is over £10 including VAT, these gifts must be reported in writing as set out in Section 2.
- 2.6 All employees responsible for the procurement, award or management of contracts with commercial organisations must inform the Head of Finance, their Head of Department and the Head of Procurement and Resources of all gifts offered, regardless of value and regardless of whether these are declined or accepted, using the appropriate form (see Appendices section). The only exception to this requirement is where the gifts offered are promotional items with a value of less than £10 including VAT, as described in Section 2.
- 2.7 Exemptions. Gifts and donated items received by an employee or Member will not normally need to be declared in the following circumstances:
  - 2.7.1 Gifts that are insignificant in nature (e.g. calendars, diaries, pens, office equipment of modest value) having an estimated value below £10 including VAT and which are retained in the office of the employee or Member.
  - 2.7.2 Gifts that are insignificant in nature having an estimated value below £10 including VAT and classed as promotional, which bear the logo or company name of another organisation.
  - 2.7.3 Official gifts which bear the donor's name or insignia, the presentation of which was ceremonial in nature, and which is to be retained in the offices of the Service.
  - 2.7.4 Discounts negotiated with suppliers by the Fire Sector as a whole or the Service on behalf of its workforce and offered to all employees.
  - 2.7.5 Marketing emails received by NFRS staff offering incentives such as gifts or hospitality, that are generated for the purpose of marketing and similar activities as long as the employee does not accept the offer.
- 2.8 If there is any doubt regarding the exemptions above, or any doubt as to whether or not it would be appropriate to accept a gift, employees must seek further advice from their Head of Department, or the Head of Finance, or the Head of Procurement and Resources, or the Procurement Manager before making a decision regarding acceptance or declination of the gift. In the case of Fire Authority Members they must seek further advice from the Monitoring Officer.

### **3. Hospitality**

- 3.1 Hospitality is defined as any food, drink, accommodation or entertainment which is freely provided or heavily discounted.
- 3.2 Working lunches on a modest scale, and on an occasional basis are part of normal business practice and employees are not required to obtain formal approval to attend them. However if employees receive a prior invitation to a



more formal lunch or dinner, or regular working lunches, they must declare their intention to attend to their line manager, or in the case of Fire Authority Members, the Monitoring Officer. It is important that this declaration is made as early as possible and before the attendance at the hospitality event takes place.

- 3.3 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 affecting the person or organisation offering the hospitality.
- 3.4 Invitations to other events which are not work-related, such as arts or sporting events, should be declined.
- 3.5 Invitations to employees to attend paid study tours, site inspections or product demonstrations must have prior approval from the Head of Department. If overseas travel is involved then employees must also have prior approval from the Head of Finance before accepting any such invitation.
- 3.6 All employees responsible for the procurement, award or management of contracts with commercial organisations must inform the Head of Finance, their Head of Department and the Head of Procurement and Resources of all hospitality offered, regardless of value and regardless of whether the offer is declined or accepted
- 3.7 Exemptions. Hospitality received by an employee or Member will not normally need to be declared in the following circumstances:
  - 3.7.1 Working meals including meals taken in the course of formal meetings or training.
  - 3.7.2 Schemes and meals provided by other public sector organisations during fact finding, formal meetings or information sharing events.
  - 3.7.3 Attendance at a formal function promoted by an organisation, as a representative of the Service. This may be ceremonial in its nature, for which an official invitation is issued to and accepted on behalf of the Service.
  - 3.7.4 Attendance at formal social functions in relation to which invitations have been issued to all employees or Members.
  - 3.7.5 Attendance at information gathering or sharing events such as meetings with representatives of other public sector organisations for the purposes of learning or sharing good practice.
  - 3.7.6 Hospitality arising from an employee or Fire Authority Member holding a public office outside the Service where the receipt of that hospitality is subject to the rules on the receipt and declaration of hospitality of another public body.
  - 3.7.7 Hospitality which is wholly unrelated to the recipient's status as an employee of the Service or Member of the Fire Authority.

- 3.7.8 Attendance by an employee at seminars and training opportunities which would in other circumstances be the subject of a charge to attendees.
- 3.7.9 Hospitality provided at seminars and training opportunities as long as it was proportionate to the nature of the event (e.g. a buffet lunch).
- 3.7.10 Marketing emails received by NFRS staff offering incentives such as gifts or hospitality, that are generated for the purpose of marketing and similar activities as long as the employee does not accept the offer.
- 3.8 If there is any doubt regarding the exemptions above, or any doubt as to whether or not it would appropriate to accept hospitality offered, employees must seek further advice from their Head of Department, or the Head of Finance, or the Head of Procurement and Resources, or the Procurement Manager before making a decision regarding acceptance or declination of the hospitality offered. In the case of Fire Authority Members they must seek further advice from the Monitoring Officer.

#### **4. Recording and Publication of Gifts and Hospitality Records**

- 4.1 In order to counter any possible accusation or suspicion of improper conduct, the Service will maintain a central register of gifts and hospitality offers made, accepted or declined in accordance with this policy. This register will be maintained by the Head of Finance (for employees) and by the Monitoring Officer (for Members). All declarations reported in line with this policy must be forwarded to the Head of Finance (for employees) and to the Monitoring Officer (for Members) at the earliest opportunity. Declarations must be signed and may either be delivered by hand or scanned and emailed.
- 4.2 The register will be inspected annually by the Treasurer to the Authority, to ensure probity and to consider any particular patterns of 'donation' or receipt. There is no legal requirement for the Fire & Rescue Authority to publish the register of gifts and hospitality however in the interests of transparency the two registers (one covering employees and one covering Members) will be published annually, on the Authority's website, following the end of the financial year.

# PRIMARY INFORMATION

## 1. Importance and Relevance of this Policy

1.1 Nottinghamshire Fire and Rescue Service is a public service organisation, funded by the taxpayer, and is classed as a local government organisation.

1.2 The Seven Principles of Public Life (also known as the Nolan Principles) apply to any person who works as a public office-holder. This includes people who are elected or appointed to public office and all people appointed to work in public service organisations, including Fire and Rescue Services.

1.3 The seven principles are:

- Selflessness;
- Integrity;
- Objectivity;
- Accountability;
- Openness;
- Honesty;
- Leadership

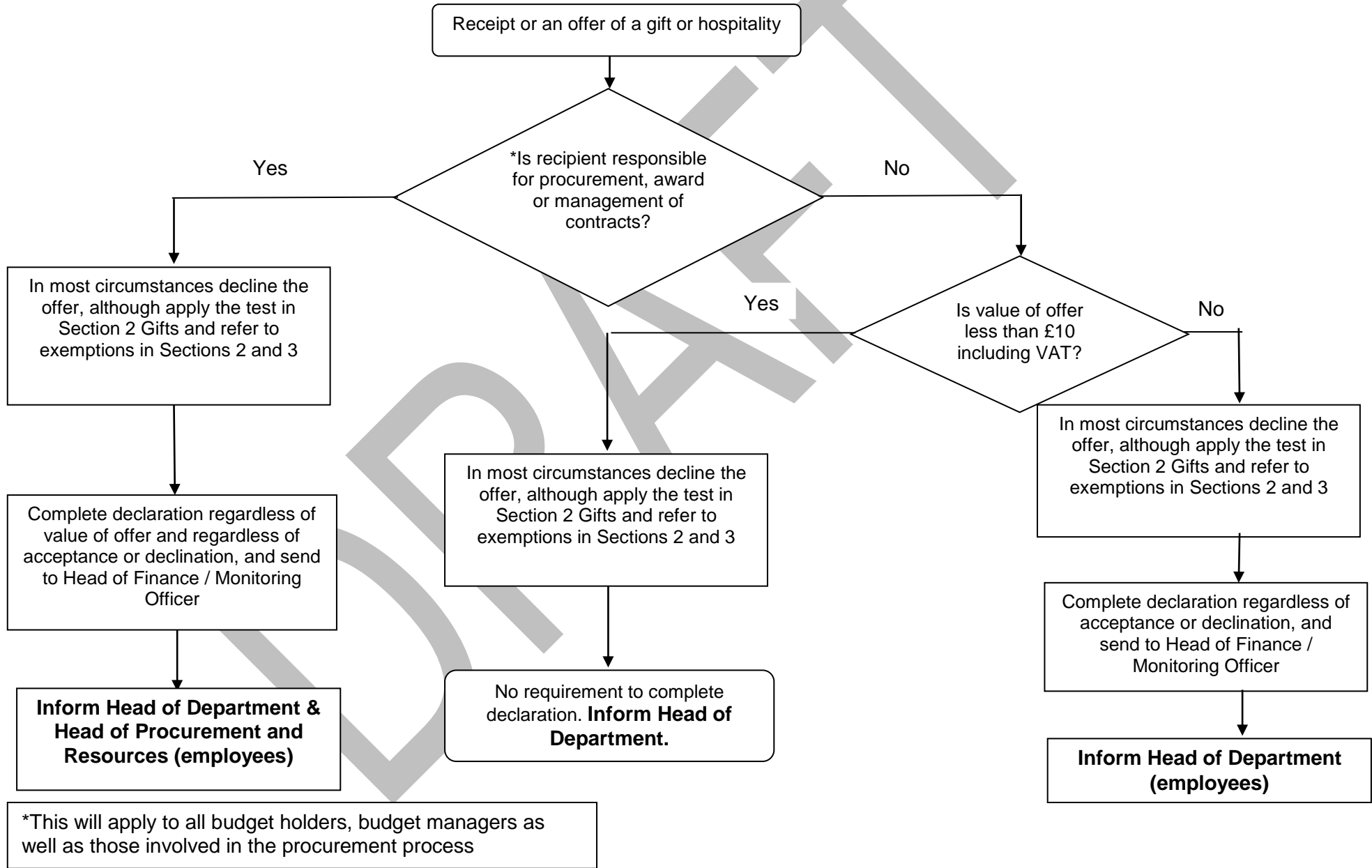
1.4 The principle of integrity means that holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work...they must declare and resolve any interests and relationships. This is the key principle which drives this Gifts and Hospitality policy. The offer of gifts or hospitality could be interpreted as a means of influencing employees or Members of the Authority to act in the interests of the person or organisation offering the gift or hospitality, instead of in the interests of the Service.

1.5 The principle of accountability means that holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this. The principle of openness means that holders of public office should act and take decisions in an open and transparent manner and information should not be withheld from the public unless there are clear and lawful reasons for doing so. These two principles underlie the keeping of registers of gifts and hospitality and the publication of these registers, as set out in Section 4 of the policy.

## SUPPORT INFORMATION

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**Flowchart for decision making and actions**



# APPENDIX

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## Gifts and Hospitality Declaration Form

Name \_\_\_\_\_

Post \_\_\_\_\_

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. Estimated value of the gift / hospitality: .....

5. Comments / additional information:

.....  
 .....

6. To whom is the offer declared?

Head of Finance (employees)

Monitoring Officer (Members)

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

**Countersignature** \_\_\_\_\_

**Date** \_\_\_\_\_

(Head of Finance / Monitoring Officer – delete as appropriate)

## DOCUMENT HISTORY

<b>Version No.</b>	1.03		
<b>Replaces</b>	Version No. 1.02		
<b>Summary of changes</b>	Reformatted to new template for policies; additional clarification added; exemptions added; tightening of policy for employees responsible for procurement award or management of contracts; amendment re publication of register on external website.		
<b>Author</b>	Ian Pritchard		
<b>Department</b>	Procurement and Resources		
<b>Approved by</b>	Strategic Leadership Team		
<b>Version</b>	<b>Date</b>	<b>Modified by</b>	<b>Changes</b>
1.00	01/12/04	Sue Cornish	
1.01	26/06/07	Jeremy Lodge	EIA added
1.02	20/11/15	Sue Maycock	Minor amendments
1.03	02/11/16	Sue Maycock	Reformatted to new template for policies; additional clarification added; exemptions added; tightening of policy for employees responsible for procurement award or management of contracts; amendment re publication of register on external website; inclusion of Nolan principles as supporting information.
1.04	06 Dec 17	Ian Pritchard	Reduction of declaration threshold amount and mailshot offers. Other changes as a result of EDT consultation
<b>Assessments completed</b>	EIA		
<b>Review Period</b>	2 years		



## APPENDIX B

### Initial Equality Impact Assessment.

This questionnaire will enable you to decide whether or not the new or proposed policy or service needs to go through a full Equality Impact Assessment.

<b>Title of policy, function, theme or service:</b>		Gifts and Hospitality policy							
<b>Name of employee completing assessment:</b>		Ian Pritchard					<b>Department and section:</b> Head of Procurement and Resources		
<b>1.</b>	<b>State the purpose and aims of the policy or service and who will be responsible for implementing it.</b> The purpose of this policy is to set out guidance for Fire and Rescue Authority members and employees on the principles governing the acceptance or declination of gifts and hospitality.								
<b>2.</b>	<b>Please indicate below if the effect of the policy, function, theme or service will be positive, negative, neutral or unknown.</b>								
	<b>Age</b>	<b>Disability</b>	<b>Family status</b>	<b>Gender</b>	<b>Race</b>	<b>Sexual Orientation</b>	<b>Religion and Belief</b>	<b>Vulnerability</b>	<b>Rurality</b>
<b>Employees</b>	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral
<b>Public</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>3.</b>	<b>Please explain the impact you have identified.</b> The policy is not applicable to members of the public and is neutral in terms of its impact on employees and elected members.								

3a)	<p><b>Please explain any steps you have taken or may take to address the impact you have identified.</b></p> <p>Not applicable</p>				
4.	<p><b>Identify the individuals and organisations that are likely to have an interest in, or be affected by the policy, function, theme or service. <i>This should identify the persons/organisations that may need to be consulted about the policy or service and its impact.</i></b></p> <p>Suppliers of goods and services to the organisation may be impacted by this policy if they offer gifts or hospitality to employees or elected members. It is not consider that these organisations need to be consulted on this policy (as there's too many!) though, as the policy has been created from the viewpoint of the Service.</p>				
5.	<p><b>Has consultation (with the public, managers, employees, TUs etc) on the policy, function, theme or service been undertaken?</b></p>	<p><b>Yes</b></p>		<p><b>No</b> <b>X</b></p>	
5a.	<p><b>Please provide details for your answer including information regarding when consultation will take place if you have ticked yes.</b></p> <p>There will be an initial consultation with the Executive Delivery Team, the Strategic Leadership Team and the Monitoring Officer, following which amendments may be made to the policy. After this it will undergo the usual consultation process.</p>				
6.	<p><b>Has the Equality and Diversity Officer been contacted?</b></p>	<p><b>Yes</b></p>		<p><b>No</b> <b>X</b></p>	
6a.	<p><b>If Yes please outline below the outcomes/concerns highlighted in the discussion.</b></p> <p>The E&amp;D Officer will be contacted when this policy is circulated to EDT and SLT.</p>				
<p>If <b>No</b> please ensure that the Equality and Diversity Officer is contacted.</p> <p>If <b>Yes</b>, Please record here the date the Equality and Diversity Officer was contacted regarding this initial equality impact assessment.</p>					
<p>Date:</p>					

7.	<b>Has monitoring been undertaken?</b>	<b>Yes</b>		<b>No</b> <b>X</b>	
8.	<b>What does this monitoring show?</b>  Not applicable – neutral impact				
9.	<b>If you have answered no to question 7 can a monitoring system be established to check for impact on the protected characteristics?</b>	<b>Yes</b>		<b>No</b> <b>X</b>	
10.	<b>Please describe how monitoring can be undertaken and identify this monitoring system as an objective when completing the action plan below.</b>  Not applicable – neutral impact				
11.	<b>If a monitoring system cannot be established please explain why this is.</b>  Not applicable – neutral impact				
12.	<b>Did the Equality and Diversity Officer advise to proceed with a full EIA? Please provide full details of the decision.</b>  To be confirmed				
13.	<b>Proceed to full Equality Impact Assessment?</b>	<b>Yes</b>		<b>No</b>	