

FALKIRK COUNCIL – CHILDREN’S SERVICES
Local Negotiating Committee for Teachers

Management Side
Children’s Services
Sealock House
2 Inchyra Road
Grangemouth
FK3 9XB

Teachers' Side
Haypark Business Centre
Room 5 Suite A
Marchmont Avenue
Polmont
Falkirk FK2 0NZ

To: All Headteachers/Unit Managers
cc. Extended Senior Leadership Team,
Resource Managers/Officers

29 June 2017

Dear Colleagues

LNCT 37
ACCEPTANCE OF GIFTS & HOSPITALITY

As agreed by LNCT, the Joint Secretaries have, in light of the new guidance issued by the Council and taking into account the views of the Corporate Risk Management Group, reviewed the previous guidance/position adopted by the Service (LNCT 15/01 – Nov 15) and agreed that:

The agreed Council Policy should apply to all staff including teachers with no exceptions.

This means that with immediate effect, all teaching staff should adopt the Council Policy which assumes a general presumption against accepting offers of gifts or hospitality. If any gifts or hospitality offers are accepted, then these must be properly recorded using the on-line system and Headteachers/Service Managers informed.

A copy of the new on-line process (April 17) for recording gifts and hospitality is attached as Appendix 1.

A copy of the Guidance issued and an extract from the Code of Conduct for Members and Officers are both shown on Appendix 2 for information.

Yours sincerely

Gary Greenhorn (Management Side)
Margaret Smith (Teachers' Side)/Colin Finlay (Staff Side)

Joint Secretaries

**New Gifts & Hospitality On-Line Central Register
Effective from 10 April 2017**

With the aim of streamlining processes and ensuring cross Council consistency I can advise that an on-line Pro Forma and Central Register to record all offers of Gifts & Hospitality has been developed. This meets the requirements of Falkirk Council's Code of Conduct for Members and Officers.

Previously, each Service held their own Gifts & Hospitality Register; this new single process will be held and managed centrally by Customer and Business Support. In line with Internal Audit's report, the Central Gifts & Hospitality Register will be made available to Service Directors and Chief Officers on a quarterly basis to review new entries, i.e. beginning of April for the January – March period, July for the April – June period and so forth.

It is the full responsibility of each employee to report and record all offers of gifts and hospitality made to them. To this effect, the following communication has taken place:

- Intranet: Covering page and pro forma placed on the **Home Page** under **Forms** in the **Employee Area**.
- Code of Conduct for Officers & Members – Link to pro forma added to the document.
- Correspondence to all Directors, Heads of Service, Chief Officers and Service Unit Managers.
- Correspondence to current register holders within Services.
- Global email to all employees.

Employees who do not have Intranet access can contact their Local Office Support Team who will be able to update the register on their behalf.

This new process will be effective from Monday 10 April 2017. Further details on the principles of Gifts & Hospitality can be found in the Code of Conduct for Officers and Members and the procedure and pro forma can be found on the Intranet under Forms in the Employee area or by clicking on the link below:

<http://inside.falkirk.gov.uk/employee/forms/gifts-hospitality.aspx>

Should you require any further clarification or information, please do not hesitate to contact Jackie Henderson, Corporate Support Team Leader, tel. 01324 506244 or jackie.henderson@falkirk.gov.uk

LNCT37 Appendix 1 - Gifts and Hospitality (May17)

Gifts & Hospitality registers

In accordance with the [Code of Conduct for Officers and Members Guidance](#), we need to hold a detailed Gift and Hospitality Register, and **it is the full responsibility of each employee to report and record all offers of gifts and hospitality made to them.**

The Bribery Act 2010 makes it a criminal offence to give, promise, or offer a bribe, and to request, agree to receive, or accept a bribe.

Gifts and/or hospitality that could be seen as an incentive to place business with the giver or could conflict with the Council's duty to its customers should not be accepted. Whilst not all offers of gifts and/or hospitality will constitute a 'bribe', employees should be mindful that a gift given now may lead to the expectation of a 'favour' in return at some point in the future.

On receipt of a gift or offer of hospitality, employees should:

1. In the first instance, politely refuse the offer, or where gifts are received, efforts should be made to return them – this may however prove impractical on certain occasions.
2. Discuss the offer of the gift or hospitality with their Line Manager for appropriate authorisation.
3. Whether the gift or hospitality is accepted or declined, it is imperative that the on-line pro forma below, which is linked to a Central Register to record all offers of gifts and hospitality for Falkirk Council, is completed.

Employees who do not have Intranet access can contact their Local Office Support Team who will be able to update the register on their behalf.

Service Directors and Chief Officers will review the Central Gifts & Hospitality Register on a quarterly basis.

Extract From Code of Conduct for Officers and Members

Gifts and Hospitality

No gifts or benefits in kind which may be construed as an inducement to place business with the donor, or could conflict with the Council's duty to its customers will be accepted. Acceptance of such a gift could compromise the reputation of the Member or Officer and the Council, particularly if it led the donor to expect a reciprocal favour. In the interests of fairness and to ensure impartiality towards customers and those with whom the Council does business, all offers of gifts should be politely, but definitely, refused.

In those circumstances where gifts are received, efforts should be made to return the gift and if this proves to be impractical, details of the gift(s) should be recorded and the gift(s) directed to the Chief Executive for disposal.

Offers of hospitality should be considered for acceptance only where no possible accusations of impropriety can be substantiated. Where there is any doubt as to the propriety of accepting offer(s) of hospitality, the matter should be referred to the Monitoring Officer for guidance.

Hospitality, if acceptable, should only be on a scale appropriate to the circumstances incidental to the occasion. Members and Officers should always be aware of and consider the possible adverse criticism of any acceptance.

Details concerning acceptance of hospitality should be recorded by Officers in a register located within each Service and by Members with the Monitoring Officer.