

DEVON AND SOMERSET FIRE AND RESCUE AUTHORITY

POLICY ON GIFTS AND HOSPITALITY

1. INTRODUCTION

- 1.1. A particular source of conflict between the private and the public interest is the offer of gifts, hospitality or other benefits in kind to Members of the Devon and Somerset Fire and Rescue Authority (“the Authority”) and its officers (i.e. employees) in connection with their official duties. A fine exercise in judgement may sometimes be necessary to decide how the public interest and the good name of both the Authority and the Devon & Somerset Fire and Rescue Service (“the Service”) may best be served. A reasonable amount of entertainment is a normal part of the courtesies of public life and extreme strictness can give unnecessary offence to people and organisations with whom the relationship with the Authority and/or the Service should be cordial. An appearance of improper influence, however, can easily be created and with it cynicism about the motives of those who serve the public interest. This policy is designed, therefore, to assist in the exercise of judgement referred to above and by providing guidance on what is and is not considered acceptable.

2. GIFTS

- 2.1. With the exceptions listed below, Members and officers should refuse any gift offered either to them or to a member of their family by any person or organisation who has, or who is seeking, dealings with the Authority and/or the Service - in particular for the provision of works, goods or services (e.g. building contractors; suppliers of equipment).
- 2.2. The following exceptions (whereby a gift **can** be accepted) apply:
- (a). a modest gift of a promotional character given to a wide range of people. These gifts are often given at Christmas time and include calendars, diaries, desk sets, tape measures, office scales and other articles of use in the office;
 - (b). gifts on the conclusion of any courtesy visit to a factory or firm of a sort normally given by that firm;
 - (c). a modest gift where refusal would cause needless offence and the giver is not seeking to influence a business decision but merely wishes to express thanks for advice, help or co-operation received.
- 2.3. It is wise to err on the side of caution and an obviously expensive gift should raise a question on acceptance even if it otherwise falls within one of the above “exception” categories. If in doubt the advice of the Chief Fire Officer or the Clerk to the Authority should be sought.
- 2.4. Please note that when a gift IS accepted, details (type of gift; giver; date gift received; approximate monetary value of gift) **must** be passed to the Authority’s Monitoring Officer for recording in the appropriate register.

- 2.5. Where a gift is refused, this should be done with tact. It may arise that a gift is simply delivered and problems arise over returning it. In such cases it may be acceptable to the giver for the gift to be the subject of a raffle with the proceeds to go to a charitable fund e.g. Firefighters Charity. An arrangement of this sort should only be made with the express approval of the Chief Fire Officer, duly recorded in writing. Again, details of the gift should be passed to the Clerk for recording in the register. Similarly, repeated offers of gifts – even where refused – should be drawn to the attention of the Monitoring Officer.

3. HOSPITALITY

- 3.1. Hospitality is sometimes offered to representatives of the Authority and/or Service and is accepted at official level when it is reasonable in all the circumstances to do so. Where hospitality is offered to individual Members or officers special caution is needed where the host is seeking to do business with the Authority and/or Service or obtain a decision from it. Any suggestion of improper influence **must** be avoided. As with gifts, the question is one of judgement and the following examples are intended to give general advice.

Acceptable

- a working lunch of modest standards to allow the parties to continue to discuss business. Senior officers should consider reciprocation on a subsequent occasion if there is need for further meetings;
- invitation to a Society or Institute function;
- hospitality associated with an invitation to represent the Authority and/or Service by participating (i.e. playing) in a sporting event;
- invitation to take part in a not-for-profit organisation's jubilee or other anniversary occasion.

Unacceptable

- invitation to attend an event (e.g. sporting event, concert etc.) as a spectator;
- holiday abroad or weekend in a holiday centre;
- offer of hotel and tickets for theatre;
- use of Company flat or hotel suite.

- 3.2. In general it will often be more acceptable to join in hospitality offered to a group than to accept something personal to oneself. When a particular matter is currently at issue with the Authority (e.g. an arbitration; a contract for the provision of goods or services) then common sense dictates that offers of hospitality should be refused even if during other times they might be considered acceptable.

- 3.3. Ultimately, Members and officers should only accept offers of hospitality if there is a genuine need to impart information or represent the Authority and/or Service in the community. Offers to attend even those functions listed as “acceptable” above should only be accepted where these are part of the life of the community or where the Authority and/or Service should be seen to be represented. Hospitality offered should – wherever practicable - be duly authorised (by the Chief Fire Officer or the Monitoring Officer) prior to acceptance and details of it passed to the Monitoring Officer for recording in the appropriate register.
- 3.4. Similarly, repeated offers of hospitality – even where refused – should be drawn to the attention of the Monitoring Officer.
- 3.5. Please note that, as with gifts, there is also a question of balance in deciding whether or not to report offers of hospitality. This policy is aimed more at more “formal” types of hospitality – as indicated in the examples given in Paragraph 3.1 above. It is not intended to apply to instances where, for example, a fire crew is offered a cup of tea by a grateful householder. Common sense should be applied but if in doubt please contact the Chief Fire Officer or the Monitoring Officer for advice/clarification.

4. GIFTS AND HOSPITALITY – AUTHORITY MEMBERS

- 4.1. [In accordance with the approved Code of Conduct](#), Members are **required** to register with the Monitoring Officer:
 - any gift or hospitality with an estimated value of at £50 or more. This must be registered within 28 days of its receipt; and
 - any significant gift or hospitality offered but refused.