

## **Principles**

1. The purpose of these rules is to
  - Ensure that councillors and staff follow the Council's ethical standards in their dealings with organisations and individuals
  - Give organisations and individuals who have dealings with the council information on acceptable and unacceptable practices
  - Enhance public confidence in the probity of the council's dealings with organisations and individuals

## **Acceptance of Gifts and Hospitality**

2. The acceptance of gifts and/or hospitality by councillors and staff must be treated with extreme caution. There is a delicate balance between acceptance or refusal of hospitality or tokens of goodwill on certain occasions. On each occasion a judgement must be made between causing offence by refusal and risking improper conduct by acceptance.
3. Gifts offered to a councillor or to staff should be declined if they know or suspect the giver has, or seeks business, with the Council except for:-
  - advertising paraphernalia of small value;
  - equipment, stationery, etc. of small value;
  - token gifts received during official or courtesy visits also of small value.

Gifts received without warning outside the above exceptions should be reported to the monitoring officer if of more than £25 in value and returned if possible or donated to the Mayor's Charity.

4. All offers of gifts of more than £25 in value<sup>1</sup>, whether or not accepted, should be reported to the monitoring officer.
5. Hospitality should only be accepted when it is reasonably incidental and on a scale appropriate to the occasion or the circumstances, e.g. a working lunch to allow the continuation of business. Some offers of hospitality are clearly unacceptable, e.g. offers of holiday accommodation. Hospitality on a much lower scale than this may also

be unacceptable. No absolute dividing line can be laid down. Particular care should be taken in dealing with contractors, developers and firms or

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<sup>1</sup> this includes a record of **all** gifts received from the same source in any one financial year where together their value is greater than £25

individuals in a comparable position. Offers of hospitality or hospitality accepted should be reported, prior to the event, to the monitoring officer for registration or as soon as possible thereafter if it was not foreseen.

6. When receiving acceptable hospitality, councillors and staff should be particularly sensitive as to its timing in relation to decisions which the council may be taking affecting those who are providing the hospitality.
7. The Mayor, as first citizen of the Borough, and the Deputy Mayor, will receive hospitality befitting the dignity of the office. They will nevertheless have regard to these rules in accepting such offers particularly from contractors, developers and firms or individuals in a comparable position. Gifts offered to The Mayor, Deputy Mayor, other councillors or staff when they are on official business shall be regarded as gifts to the Council and not for the personal possession of the recipient, unless this is the explicit intention of the donor. A separate register shall be maintained of gifts accepted on behalf of the Council or Borough. Where a gift is offered that is stated to be for the personal possession of the recipient these rules will apply.
8. The Register of Gifts and Hospitality is open to public inspection at the Municipal Offices, Bowling Green Road, Kettering during normal working hours, Monday to Friday.

#### **Offers of Gifts and Hospitality**

9. In every written contract, and in every invitation to tender, there shall be a clause empowering the Council to cancel the contract and recover from the contractor any losses arising from the cancellation, if the contractor or any of his/her employees or agents (with or without his/her

knowledge) has offered or given or agreed to make any gift or reward intended to influence the actions of any person in the award, supervision, enforcement or alteration of a contract. The same clause shall apply to cases where the contractor or his/her employees or agents have committed an offence under the Bribery Act 2010, or given any fee or reward, the receipt of which is an offence under S.117(2) of the Local Government Act 1972.

**Deleted:** Public Bodies  
Corrupt Practices Act 1889, and  
the Prevention of Corruption  
Acts 1906 to 1916,

10. Councillors and staff should be aware that it is a serious criminal offence under Section 2 of the Bribery Act 2010 to

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- Request, agree to accept or receive a financial or other advantage with the intention that any aspect of the role should be performed improperly or as a reward for their improper performance;
- Perform any aspect of their role improperly in anticipation of requesting, agreeing to receive or accepting a financial or other advantage; and
- Request, agree to accept or receive a financial or other advantage where that in itself constitutes the improper performance of any aspect of their role.

11. The offer of gifts or hospitality by an applicant for employment shall disqualify them from appointment.