



Acceptance of Gifts, Benefits and Hospitality

Official Hospitality – General

1. The overarching principle is that individuals working for the Inspectorate must adhere to the highest standards of public service. Dealing with offers of gifts, benefit or hospitality is largely a matter of common sense, **if ever in doubt a polite but firm refusal is the right action.**
2. The [Civil Service Code](#) states that Civil Servants must not accept gifts or hospitality or receive other benefits from anyone which might reasonably be seen to compromise their personal judgement or integrity.
3. The Inspectorate is responsible for considering planning appeals and applications for development consent for nationally significant infrastructure projects (NSIPs). Many groups, organisations and individuals will have significant interests in these appeals and applications. Inspectors, examining inspectors and staff are required to behave, and be seen to have behaved, with all interested parties in a fair, impartial, professional and open manner. This approach will have a strong bearing on how to deal with offers of gifts, benefits and hospitality.
4. Offers of gifts, benefits and hospitality are seen by many outside organisations and individuals as normal business practice, perhaps to promote useful contacts and working relationships. Such contacts and relationships may also further the interests of the Inspectorate and the taxpayer, but they can place you in a very difficult position:
 - to refuse may cause misunderstanding or offence to the donor (especially if the offer comes from a foreign government or organisation)
 - to accept could involve criminal liability (see paragraphs 8 to 10 below) or otherwise give rise to questions of impropriety or suspicion of conflict of interest.
5. It is, therefore, extremely important that you follow the overriding rules set out in paragraph 11 below and the rules and procedures set out in this policy.
6. "Hospitality" in this context means meals and functions such as cocktail parties, receptions, presentations and conferences; and also

invitations to social, cultural and sporting events. Some offers may include overnight accommodation and travel to and from a venue at which an event is being held.

7. "Hospitality" does not include benefits or other considerations, which are equivalent to gifts and are subject to separate rules (see paragraphs 29 to 31).

Disciplinary Penalties

8. Under the Bribery Act 2010 it is an offence for any civil servant corruptly to solicit or accept any gift or consideration as an inducement or reward for:
 - doing, or knowingly doing, anything in their official capacity or
 - showing favour or disfavour to any persons in their official capacity.
9. Under the Bribery Act 2010, the courts will assume that any money, gift or consideration that a civil servant receives from a person or organisation which has obtained or is trying to obtain a Government contract has been received corruptly unless the officer can prove otherwise.
10. If convicted of corruption you will be liable to dismissal by the Inspectorate. You should also note that the unauthorised acceptance of a gift, benefit or hospitality - even if it could be demonstrated that it had not been received corruptly - will render you liable to disciplinary action up to and including dismissal.

Overriding Rules

11. The overriding rules governing the acceptance of gifts, benefits and hospitality are that:
 - your conduct in a private capacity must not foster the suspicion of any conflict between your official duty and private interests
 - your conduct whilst acting in an official capacity must not give the impression - to any member of the public, to any organisation with whom you deal or to your colleagues - that you have been (or may have been) influenced by a gift or consideration to show favour or disfavour to any person or organisation
 - you must not accept any gifts, benefits or hospitality - either directly or through a third party (i.e. a family member or friend) that would, or might appear to:
 - a. place you under any obligation to an individual or organisation making the offer
 - b. compromise your impartiality or otherwise be improper.

- any gifts, benefits or hospitality must be refused if either you or the Inspectorate are in any doubt about the propriety of accepting them.
12. The procedures contained in this policy cannot cover every situation that might arise and where it does not, you must seek and follow the advice of your Head of Service, Head of Inspectors or Governance.
 13. The Chief Executive is final arbiter on the advisability of acceptance or refusal of gifts, hospitality, etc.

Gifts Offered To Employees

14. Difficulties can arise with casual gifts, particularly at Christmas time when commercial custom and practice may lead to gifts being sent to customers including Crown employees working in the Inspectorate.
15. Gifts other than low-value items such as diaries or calendars must be politely but firmly refused at the time they are offered. Calendars, diaries or other small items of office equipment of modest value may be accepted, but only if they bear the company's name or insignia and can legitimately be regarded as being in the nature of advertising material.
16. Any other gifts (including bottles of wine or spirits) must be politely but firmly refused or, if received in the office, returned to the donor with a polite covering letter explaining the Inspectorate's rules and policy (the letter must be copied to line management and Governance). It must be clear to the donor and to anyone else that no individual has gained personal advantage from the gift.
17. The only exception to paragraphs 15 and 16 above is where refusal would cause offence to the donor or misunderstanding. In such circumstances you may accept the gift (reporting to Governance in accordance with paragraphs 26 and 28). The donor must be advised that the gift has been accepted on behalf of the Inspectorate and that it may be put on display in the office. Where a gift is perishable or consumable, and hence unsuitable for permanent display, it may be used within the Inspectorate, at the discretion of the Chief Executive (whose decision must be recorded in writing and copied to Governance).
18. If you are in any doubt about whether or not to accept a gift in accordance with the preceding paragraphs, you must consult Governance.

Gifts from Foreign Governments and Organisations

19. The rules regarding the receiving of gifts and hospitality apply equally to those offered by a foreign government or organisation. However, it is recognised that there may be difficulty in refusing such a gift

without the risk of apparent discourtesy to the donor. Where refusing a gift from a foreign government or organisation could clearly cause misunderstanding or offence, you can accept the gift. All such gifts must be reported to your Director and to Governance (in accordance with paragraphs 26 and 28) at the earliest opportunity.

20. Governance will decide whether gifts from foreign governments and organisations:
 - should be surrendered to the Inspectorate for disposal by sale to the benefit of the Exchequer or
 - may be retained in the Inspectorate and, where appropriate, arrangements made for you to use or display it on some future occasion as a mark of politeness or
 - may be retained by you.
21. Any gift retained under paragraph 20 that you do not want or feel it unnecessary to keep or display must be surrendered to Governance.
22. On some occasions it may be necessary both to accept a gift and to offer one in return; in such cases guidance may be obtained from Governance.

Gifts Etc., Offered At the Time of Business Transactions or Contracts

23. The standard conditions of Government contracts prohibit a contractor from offering or making a gift or other consideration of any kind (see paragraphs 27, 32 to 33) as an inducement to some action relating to the contract. If an offer, gift or irregular suggestion (overtly or covertly) is made to you either in connection with a contract or with the object of obtaining preferential treatment prior to the acceptance of a contract, the facts must be reported immediately to your Head of Service.
24. A gift or other benefit offered after a contract has been awarded or some other transaction has been negotiated must be refused.
25. Whilst you are acting in your official capacity you should never disclose your private address to a contractor. To do so could leave you liable to risks of charges of corruption and brings the risk of criminal and/or disciplinary action.

Reporting Gifts

26. All gifts, other than items such as diaries, calendars or other small items of modest value bearing a company's name or insignia, must be reported, in writing, to Governance via your Head of Service. Heads of Service and Directors should report gifts to Governance via the Chief Executive. Details of the gift will be recorded in a central register that the Inspectorate is required to maintain.

27. Inspectors must refuse all gifts and report the offer to Governance via the Head of Inspectors.
28. When reporting gifts in accordance with paragraph 26 you must include the following information:
 - when the gift was received
 - who the donor is
 - what the gift is
 - an estimate of the gift's value and
 - what you propose to do with the gift (i.e. retain it, put it on display in the office, surrender it to the Inspectorate).

To assist in providing the information required you will find a form at the end of this guidance.

Benefits or Other Considerations Offered To Employees

29. Marketing and promotion by commerce and industry often involves not only gifts but also the offer to individuals of services or goods provided at discount prices.
30. Recorded offers of facilities or benefits have included:
 - free use of company sporting or other facilities
 - use of discount shopping card provided by company
 - provision of services or goods at a reduced price
 - free membership of a local club or facility
 - participation in a foreign trip, either free or at a rate charged to the company's own employees
 - financial support or gifts for an office party
 - option to buy a company car at favourable price.
31. If you receive an offer of a benefit (or other consideration of a similar kind), either for yourself or for a member of your family, in connection with your work for the Inspectorate, it should be politely but firmly refused with, if necessary, a polite letter explaining the Inspectorate's rules. Any such offer must be reported immediately to your Head of Service/Head of Inspectors and to Governance.

Use of Goods and Services from Contractors

32. If you are handling Government contracts you are particularly susceptible to criticism in carrying out this work. You must take care not to disclose sensitive information such as tender prices. It is also essential that all of your actions be clearly above suspicion of any bias in favour of or against a particular company or organisation. Dealings should be kept strictly on a business rather than a personal basis and absolute integrity maintained at all times.
33. You must not, for private purpose, purchase goods or services from an Inspectorate contractor on preferential terms, if these terms are, or might reasonably appear to be, given - either directly or indirectly - because of a potential or actual contractual or other official business relationship between the contractor and the Inspectorate. If in doubt, you should decline such offers and consult your Head of Service.

Air Miles Vouchers

34. You must not use Air Miles vouchers obtained whilst on official journeys for personal travel.

Awards and Prizes

35. If you are approached by an outside organisation about the offer of an award or prize that is in any way connected with your official duty, you must consult Governance.
36. You will normally be allowed to accept the award or prize, subject to considerations of propriety or risk of public criticism, and provided that the award or prize is:
 - offered in recognition of personal achievement and
 - is not in the nature of, or such that it could be construed as, a gift, an inducement or payment for a publication or invention to which other rules apply.
37. If you are offered a medal or other recognition from a foreign government or organisation, you must consult Governance immediately.

Hospitality Registers

38. It is Inspectorate policy to maintain hospitality registers, which is kept in Governance. All hospitality you accept must be recorded in the hospitality register, with the following exceptions:
 - light refreshments

- (if you are not involved in procurement or in a tendering process) working meals, or meals provided at a conference
- working lunches and dinners incidental to meetings (formal and informal) and to training events, presentations, conferences or seminars or similar events for which the Inspectorate has paid
- attendance at lunches, dinners, receptions or comparable functions organised by professional bodies, and their equivalents in local government and in the non-governmental public sector
- hospitality relating to normal approved diplomatic activity overseas or in the United Kingdom
- when you accompany ministers in the course of their official duties.

39. If you have accepted you must report the following information to Governance:

- the name of the body/organisation offering the hospitality
- the date of the event
- the nature of the hospitality offered (lunch, dinner, sporting event, etc.)
- Estimated Value
- the name of the officer(s) to whom the hospitality was offered
- the name and signature of the officer approving acceptance of the invitation, if required and given
- Date of Acceptance
- whether, exceptionally, a spouse, partner or other family member attended (prior approval of which must have been obtained) and
- any relevant comments.

To assist in providing the information required you will find a form at the end of this guidance.

Criteria for Considering Offers of Hospitality

40. In considering offers of hospitality, you must follow the rules set out in paragraph 11 (including the provisions of the Bribery Act 2010 - see paragraphs 8 and 9 above). You must also apply the criteria set out below in paragraphs 40 and 41.

41. When considering offers of hospitality, you should apply the following criteria:

- **The relationship between the Inspectorate and the individual or organisation making the offer** - contacts which are promotional, representational or relate to information

gathering are less likely to create an obligation or embarrassment than those which are regulatory or could lead to a contractual relationship between the Inspectorate and the other party. Hence, it is generally acceptable to attend in an official capacity a function organised by a public or non-commercial body (for example, a local authority or professional association), although such offers should also still be considered in the light of other criteria in this policy. However, particular care is required where the individual or organisation offering hospitality stands to benefit commercially or in other ways from the goodwill of the Inspectorate (e.g. they are actual or potential contractors, developers or consultants; or are subject to regulatory decisions or recommendations by the Inspectorate; or are lobbying organisations or pressure groups).

- **The balance between the scale of the offer and the business to be transacted** - a working lunch or similar small-scale hospitality should be distinguished from more lavish and expensive events, travel or accommodation. If an offer of hospitality appears disproportionate in relation to normal day-to-day relations with the individual or organisation involved, you consider carefully about whether to accept. Where you have doubts, you should seek guidance from your Head of Service or from Governance.
- **Whether the offer stands on its own or is one of a series** - isolated offers of hospitality may be accepted if they meet the proportionality test set out above, and if it is considered that attendance can be shown to benefit the Inspectorate. However, frequent, regular or seasonal invitations, particularly from the same source, should be scrutinised much more critically and only accepted if there is a clear and demonstrable public benefit to do so.
- **Whether there is a significant risk of reciprocal obligations being created or implied** - as a general rule, therefore, invitations must be declined if there is significant risk of reciprocal obligations being created or implied, or unfair advantage being conferred or thought to be conferred upon the individual or organisation making the offer.

42. The criteria that senior officers should apply when considering whether invitations are acceptable are as follows:

- Will acceptance create any possible conflicts of interest?
- Is the invitation from an individual or organisation that has or is actively seeking to enter into a specific contractual or financial relationship with the Inspectorate?
- Will acceptance create any obligation to the donor?
- Will acceptance compromise the Inspectorate's (or the individual's) impartiality, or otherwise be improper?

- Will acceptance result in unfair advantage being conferred or thought to be conferred upon the outside organisation or individual?

Acceptance of Hospitality

43. Cocktail Parties, Trade Association Dinners and Other meals not covered in paragraph 38 are classified as "social" occasions - although they are business related. Approval to attend must be sought from a senior manager and attendance must in all cases be recorded in the hospitality register.
44. Acceptance of invitations to "social" occasions such as sporting or cultural events should be exceptional, although it may be considered justifiable if attendance is in the interest of the Inspectorate. You must not accept such invitations without clearance from a senior manager. All accepted invitations must be recorded in the hospitality register (see paragraph 38).
45. If you are involved in procurement, or in a tendering exercise, all invitations received - whether accepted or not - must be recorded in the appropriate hospitality register (see paragraph 38). You must also obtain senior staff approval before accepting an invitation. You will also be required to sign a declaration concerning recent receipt of gifts and hospitality from (as well as any other interest in) potential suppliers before becoming involved in a tendering exercise, and to update it fully before award of contract. These declarations are separate from, and additional to, the normal hospitality register mentioned above.
46. Occasionally, you may receive an invitation in your official capacity from a genuine friend in another organisation. Regardless of the type of hospitality offered, you should always exercise extra caution when considering such an invitation, particularly in relation to whether the Inspectorate will benefit sufficiently from the contact. You must notify a senior manager of your relationship with the host, and obtain prior approval before accepting the invitation.

Acceptance of Hospitality by Inspectors

47. Inspectors need to be especially careful when hospitality is offered to them. An offer of a meal in the course of an inquiry or a site visit should always firmly be declined and then reported to Governance so that it can be entered into the hospitality register. Even an invitation to have a cup of tea or coffee or a cold drink with the parties on an accompanied site visit should be treated with caution.

Refusing Hospitality and Recording Refusals

48. Refusals of hospitality on the grounds of propriety should draw on the Inspectorate's overriding rules set out in paragraph 11 above. You should record the following in the hospitality register:
- all offers of hospitality refused if you are involved in a procurement or tendering exercise
 - all offers of hospitality refused on the grounds of propriety to which you have replied in writing or by e-mail
 - all offers of hospitality refused where you believe the inviting body may be trying to develop questionable relationships with yourself or the Inspectorate more widely .

Spouses, Partners and Family Members

49. Invitations extended to spouses, partners and/or other family members must be declined, unless the invitation makes clear that all invitees should be accompanied. The presence of a spouse, partner or family member may then be recognised as being part of your official duties. Prior approval for a spouse, partner or family member to attend events is required in all cases. Such approval must be obtained from the Chief Executive.

Authorisation from Senior Officers

50. The table below sets out the different categories of hospitality offers and requirements for registering these.

Event	Approval required	Record in register if accepted
Category A Working meals and meals provided at conferences (i.e., occasions where business is being transacted).	No	No
Category B Other meals (i.e., primarily social functions), formal receptions and cocktail parties	Directors – No Others - Yes	Yes Yes
Category C Social entertainment such as theatre, concerts, sporting events	Yes	Yes
Category D Any event to which spouse, partner or family member is invited	Yes	Yes
Any invitations to events defined in categories A-D above, issued to employees in procurement or in a tendering exercise	Yes	Yes

Grade	Obtain approval from
Head of Service, Head of Inspectors, Group Managers, or Director	Director of Corporate Services or Chief Executive
Inspectors and administrative staff	Head of Service, Head of Inspectors or Director

NB. Invitations covering spouses, partners or family members MUST always be approved at Chief Executive Level at least.

51. If you are not in the 'Senior Civil Service' you must not accept any offer of hospitality (other than as referred to in paragraph 38, 42, 43, 44 and 54) without receiving approval from your Head of Service, Head of Inspectors or Director.
52. In exceptional cases - such as when your duties take you away from the office for an extended period - it may not be possible to obtain prior approval to accept invitations. You should use your own

judgment in deciding whether to accept applying the criteria set out in paragraphs 40. If you do decide to accept, the circumstances must be reported to your Head of Service, Head of Inspectors or Director on your return, and the details (including why prior approval could not be obtained) noted in the hospitality register (see paragraph 38).

53. If you are accompanying a Minister or a member of the Senior Civil Service to an event, you are not required to obtain prior permission to accept hospitality. It will be for the senior official concerned to decide whether your presence is appropriate.
54. If you are a member of the Senior Civil Service, you do not need to obtain approval to attend non-working meals, formal receptions or cocktail parties. You must, however, apply the criteria set out in paragraph 42 when deciding whether to accept such invitations and record acceptance in the hospitality register (see paragraph 38). If you require guidance on whether to accept an invitation, you should consult the Director of Corporate Services or Chief Executive. You must obtain approval from the Chief Executive to attend certain prestige events or where invitations extend to spouses, partners or family members.
55. The Chief Executive does not need to obtain approval to accept any hospitality but must apply the criteria set out in paragraph 42 when deciding whether to accept invitations and record acceptance in the hospitality register.



Notification of Gifts and Hospitality Offered

This form should be used when reporting a gift to be placed on the Governance Gift and Hospitality Register in accordance with the guidance above.

Personal details	
Your name:	
Line manager's name:	
Location & telephone no:	
Gifts and Hospitality details	
Date of offer:	
Reason for offer (where known):	
Name of person making the offer:	
Name of their organisation (if appropriate):	
Description of offer:	
Has the offer been accepted or refused?	
If accepted, name of person authorising acceptance:	
Registration details	
Estimated Value:	
Has this this been recorded on any other register?	
If Yes which register and where is it located?	
Please use this space for any other information e.g. what is to happen with the gift or hospitality	
Please send your completed form by e-mail to the Governance mailbox	