	CORPORATE POLICY	Policy No: CP-1011-18
		Approved By: Council
		Effective Date: Resolution No.:
		Division: Corporate Services – Human Resources

GIFTS AND GRATUITIES

POLICY STATEMENT

The City of Spruce Grove council, board, committee and task force members, and employees are representatives of the community and are entrusted to perform their duties with integrity.


1. PURPOSE

This policy will provide parameters around the acceptance of gifts and gratuities from outside parties in order to preserve the image and integrity of the City of Spruce Grove and the community as a whole.

This policy does not apply to gifts provided to City Officials and Employees by the City.

2. DEFINITIONS

- 2.1 “City Officials” means all members of Council, all internal board, committee and task force Members appointed by Council.
- 2.2 “Chair” means the person who has the authority to preside over a Members’ meeting.
- 2.3 “Councillor” means a member of Council including the Mayor;
- 2.4 “Employee” means a person who is compensated for services performed and whose duties are under the control of the City as the employer.
- 2.5 “Gifts and Gratuities” includes gifts, gratuities, cash, promotional items, entertainment, prizes, hospitality, use of assets or property, or anything of value (cash or in kind) from anyone who has business or is seeking business with the City, or who conducts activities that are regulated by the City, or who has interests that may be substantially affected by the actions of City Officials and Employees.

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2.6 “Member” means a member of an internal board, committee or task force as appointed by Council;

2.7 “Staff Liaison” means an employee of the City appointed by the City Manager on behalf of City Administration. The Staff Liaison facilitates communication between Council, an internal board, committee or task force and does not participate in any part of decision-making.

3. RESPONSIBILITIES

3.1 City Officials and Employees must act in the best interests of the City and the public at all times by following this policy.

3.2 All City Officials and Employees are responsible for reporting any violations as set out in this policy.

3.3 Supervisors must ensure Employees are aware of, and act in compliance with this policy.

3.4 The Chair must ensure all Members of boards, committees and task forces are aware of, and act in compliance with this policy.


3.5 Human Resources must provide guidance to City Officials, and Employees on the interpretation of this policy.

3.6 Human Resources must take appropriate action, including investigations, when dealing with breaches of this policy with the exception of Councillors. Investigations for Councillors will fall under Bylaw C-1043-18 Council Code of Conduct Bylaw.

4. ACCEPTANCE OF GIFTS AND GRATUITIES

4.1 For honesty and impartiality to be beyond doubt, City Officials and Employees may not accept a gift or gratuity that may result in the following:


- (a) a personal gain or benefit;

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- (b) the perception by another person, co-worker or the media that the action is unethical or could result in a conflict of interest or undue influence;
- (c) somebody else will be owed something or could have the reasonable expectation that they are owed favourable treatment; and
- (d) a decision may be, or be perceived to be, influenced.

4.2 City Officials and Employees are encouraged to decline gifts that are offered to them with the exception of:

- (a) food and beverages at banquets, receptions, ceremonies or similar events;
- (b) services provided without compensation by persons volunteering their time;
- (c) food, lodging, transportation and entertainment provided by other levels of governments or by other local governments, boards or commissions;
- (d) a reimbursement of business related expenses incurred in the performance of duties or office, in accordance with City policies;
- (e) token gifts such as souvenirs, mementoes and commemorative gifts that are given in recognition of service on a committee, for speaking at an event or representing the municipality at an event; and
- (f) gifts that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of office.

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- 4.3 Notwithstanding Section 4.2, City Officials and Employees substantially involved in a procurement, regulatory, or enforcement decision making role, should avoid accepting offers or gifts and gratuities from third parties standing to gain from influencing decisions, whether intended or unintentional.
- 4.4 Notwithstanding Section 4.2, City Officials and Employees should avoid repeatedly accepting gifts and gratuities from the same source.
- 4.5 City Officials and Employees should be aware that acceptance of certain gifts may result in a taxable benefit from the provider to the receiver, depending on the nature of the gift, benefit, reward or advantage and is subject to Canada Revenue Agency interpretation.
- 4.6 Opportunities may arise where City Officials and Employees are invited to participate in an event where there would be a benefit to the City as well as a personal benefit. It is incumbent on City Officials to consider section 4.1 prior to accepting the invitation. Such events are not considered gifts for the purposes of this policy.
- 4.7 City Officials must turn in all gifts that carry a market value in excess of \$300 to Corporate Office to be raffled off at an upcoming City function and/or distributed throughout the organization. Items received as door prizes or raffle winnings received at an event and/or conference are excluded from this requirement.
- 4.8 Employees must turn in all gifts that carry a market value in excess of \$200 to Corporate Office to be raffled off at an upcoming City function and/or distributed throughout the organization. Items received as door prizes or raffle winnings received at an event and/or conference are excluded from this requirement.
- 4.9 Gifts that are consumables shall be placed in common areas for everyone to enjoy.

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5. DISCLOSURE AND ENFORCEMENT

5.1 Employees

- (a) If at any time an Employee thinks they may be in violation of this policy, they must make full and prompt disclosure to their supervisor and Human Resources.
- (b) If an Employee suspects non-compliance by another Employee, they must report the incident to their supervisor and Human Resources.
- (c) Human Resources, in consultation with the appropriate level of management will investigate the circumstances and determine whether a violation of this policy exists.
- (d) Disciplinary action, up to and including termination of employment, will be used in addressing any violations or false accusations regarding violations of this policy.

5.2 Members of internal boards, committees or task forces

- (a) Questions concerning the interpretation and/or application of this policy should be directed to the Chair and Staff Liaison of the internal board, committee or task force.
- (b) The Chair and Staff Liaison may call upon Human Resources for assistance with interpreting this policy and they may work together to investigate the circumstances and determine whether a violation of this policy exists.
- (c) If at any time any Member thinks they may be in violation of this policy, they must make full and prompt disclosure to the Chair.
 - i. The Chair must report any potential and actual violations raised by Members to the Mayor and Staff Liaison.

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- ii. Should the Staff Liaison be in violation of this policy, they must report it to the Chair, and follow the requirements laid out for employees within this policy
- iii. Should the Chair be in violation of this policy, the Chair must make full and prompt disclosure to the Mayor.
- (d) Suspected violation of this policy by a Member, other than an Employee or Councillor, will be addressed in accordance with the complaint and investigation process outlined in Bylaw C-1043-18 Council Code of Conduct Section 14 as determined appropriate by the Mayor.
- (e) Suspected violation of this policy by a Member who is a Councillor is subject to provision 5.3 of this policy.
- (f) Violation of this policy may place the Member in a position of conflict of interest which may result in their removal from the internal board, committee or task force.

5.3 Council

- (a) If at any time a Councillor thinks they may be in violation of this policy, they must make full and prompt written disclosure to the City Manager, in accordance with Bylaw C-1043-18 Council Code of Conduct Bylaw.
- (b) Violations of this policy by a member of council will be addressed in accordance with the complaint process and enforcement provisions outlined within Bylaw C-1043-18 Council Code of Conduct Bylaw.

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RELATED DOCUMENTS

- Council Code of Conduct Bylaw
- Ad Hoc Committees of Council Policy
- Appointments to Council Boards, Commissions and Committees Policy
- Task Force Policy
- Progressive Discipline Policy

DRAFT

APPROVAL	
Mayor _____	Date _____