

Report to Standards Committee

Subject: Gifts and Hospitality 2019/20

Date: 27 August 2020

Author: Director of Organisational Development and Democratic Services

Purpose

To inform Standards Committee of gifts and hospitality received between 1 April 2019 and 31 March 2020 and identify any issues arising from the annual review of the Register of Gifts and Hospitality.

Recommendation

THAT the report be noted.

1 Background

- 1.1 The Council has a Gifts and Hospitality Code of Practice for Members and Officers to enable Members and Officers to decide on the circumstances and the manner in which gifts and hospitality may be accepted. The Code of Practice was reviewed during 2018 and minor amendments approved by both Standards Committee and Appointments and Conditions of Service Committee. Historically, each council department held its own register of gifts and hospitality in which details of gifts and hospitality offered to Officers were registered. Since 2012 the register for officers has been held centrally in an electronic folder on the I:Drive and during 2019 it was transferred to the online Employee Claims system. The system automatically sends an email reminder to Service Managers at the end of each quarter requesting that they ensure the register entries are up to date.
- 1.2 During 2019, presentations on Gifts and Hospitality were delivered by the Monitoring Officer to SLT and Service Managers on 5 June and 7 August

2019.

1.3 The register of gifts and hospitality for Members is still held in an electronic folder in the I:Drive and is updated on the Monitoring Officer's behalf by Democratic Services. Standards Committee will recall that in its report on Ethical Standards in Public Life, the Committee on Standards in Public Life recommended that local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV. This recommendation was accepted by the Standards Committee and the register was published on the website at the end of quarter 3 and quarter 4 in CSV format. It will continue to be published on a quarterly basis. Members received training on the need to register gifts and hospitality in excess of £50 as part of the induction training following the 2019 borough elections. They are being reminded on a quarterly basis to keep their Register of Interests including gifts and hospitality received via the 'Councillor Contact' emails.

1.4 The entries on the Register for officers shows that during 2019/20, across the Council's officers, 92 offers of gifts or hospitality were made; 89 were accepted and 3 were refused. Most common gifts were boxes of chocolates, and boxes of biscuits. There were 19 instances of hospitality offered consisting of networking lunches and dinners at a conference/Awards ceremony.

31 offers of hospitality were recorded by Members. These were all recorded by the Leader and Deputy Leader and were of a value (under £50) which did not require recording under the Code of Conduct.

The Gifts and Hospitality Register for Officers appears at Appendix 1. The Gifts and Hospitality Register for Members appears at Appendix 2.

1.5 In reviewing the register for officers, there are significantly more entries for 2019/20 than previous years (33 offers to officers recorded in 2018/19). This may be as a result of the work to raise the profile through 2 presentations to SLT and Service Managers and the fact that offers can now be recorded via the Employee Claims system. This does not give rise to a cause for concern although will be monitored.

1.6 A review of the register entries has identified the following gaps/concerns:

- It appeared that a number of entries had not been authorised by a manager. These have now been rectified. A system change has been made to ensure that where a member of staff leaves, their details still pull through to the report so it is clear who has authorised an entry. A further system change has been requested to generate an automatic reminder to staff who have entered details

but not submitted it for authorisation.

- A number of entries had been entered onto the registers on the I:drive notwithstanding the guidance that the online system was to be used from 1 October 2019. These have now been entered into the online system and authorised.
- Advice has been given on a number of occasions that the primary reason for acceptance should be that the gift is of low value, however there are a couple of entries that the reason for acceptance was “manners”, “ a thank you”, “it offends people”. These have been raised with the relevant managers direct.

1.7 There are no specific issues in relation to value of gifts accepted or repeat gifts from the same company which would give rise to a cause for concern. The entries relating to hospitality do not include examples of hospitality which is likely to be unacceptable (paid holidays, complimentary tickets to sporting events, use of company flats or hotel suites, or special concessionary rates).

1.8 In reviewing the register for Members, again there are significantly more entries for 2019/20 than previous years (0 offers to Members recorded in 2018/19). All entries were hospitality, comprising refreshments, lunch or dinner of a low value at group events. Standards Committee is aware that Members are only required to notify the Monitoring Officer of gifts or hospitality over £50. In all cases, the value of the individual hospitality did not exceed £50; however cumulatively offers from some organisations would exceed £50 in total. There are however no specific issues which would give rise to a cause for concern.

2 Proposal

2.1 It is proposed that the Committee notes the report.

3 Alternative Options

3.1 Not to provide an update on gifts and hospitality offered to officers and members,

4 Financial Implications

4.1 There are no financial implications arising from this report.

5 Legal Implications

5.1 With regard to Officers, Section 117(2) of the Local Government Act 1972 provides that an Officer of a Local Authority shall not, under the colour of his or her office of employment, accept any fee or reward whatsoever

other than his or her proper remuneration. The Bribery Act 2010 makes it an offence to seek, accept or agree to accept a financial or other advantage as an inducement or reward to perform a function improperly. In simple terms, it is a criminal offence for employees to seek or accept a financial or other advantage in return for making a decision, granting an award or performing any other public function, regardless of what decision is made.

5.2 The Code of Conduct requires Members to notify the Council's Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50.00 which they have accepted as a member from any person or body other than the authority within 28 days of receipt.

5.3 The Council has a Gifts and Hospitality Code of Practice for Members and Officers which has been approved by Standards Committee and Appointments & Conditions of Service Committee.

6 Equalities Implications

6.1 There are no financial implications arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

7.1 There are no carbon reduction/environmental sustainability implications arising from this report.

8 Appendices

8.1 Appendix 1 - Gifts and Hospitality Register for Officers 2019/20.
Appendix 2 - Gifts and Hospitality Register for Members 2019/20.

9 Background Papers

9.1 None.

Statutory Officer approval

Approved by the Chief Financial Officer
Date: 13 August 2020

Drafted by the Monitoring Officer