

Report to Standards Committee

Subject: Gifts and Hospitality 2022/23

Date: 22 June 2023

Author: Monitoring Officer

Purpose

To inform Standards Committee of gifts and hospitality received between 1 April 2022 and 31 March 2023 and identify any issues arising from the annual review of the Register of Gifts and Hospitality.

Recommendation:

THAT Committee:

- 1) Notes the details of the annual review of gifts and hospitality.

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 in 2019. A further review of the Code has been undertaken and details are provided later in this report. 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 and during 2019 it was transferred to the online Employee Claims system. The system automatically sends an email reminder to Managers at the end of each quarter requesting that they ensure the register entries are up to date.
- 1.2 Quarterly reports in relation to the Gifts and Hospitality register are taken to Senior Leadership Team (SLT). SLT have supported a review of the Code of Practice in 2023 and have been consulted on changes to the Code.
- 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. The register is published on a quarterly basis if any updates are made. Members have recently received training on the need to notify the Monitoring Officer of gifts and hospitality accepted in excess of £50 as this will be included on their register of interests in line with the Member Code of Conduct. This training formed part of the induction training on the Code of Conduct following the 2023 borough elections. In addition to this requirement, Members should notify the Monitoring Officer of any gifts and hospitality offered for inclusion on the members Gifts and Hospitality register. Members are being reminded on a quarterly basis to keep their Register of Interests including gifts and hospitality received up to date via the 'Councillor Contact' emails or by direct email.

- 1.4 The entries on the Register for officers shows that during 2022/23, across the Council's officers, 34 offers of gifts were made; only one gift of a hamper containing food and toiletries was refused as it was offered from a an organisation with whom the Council engages as part of the property matchmaker scheme.
- 1.5 The most commonly recorded gifts were boxes of chocolates, boxes of biscuits and flowers given by members of the public to staff which were shared amongst teams. There was one recorded gift which was not considered to be of low value, namely Amazon gift cards received by leisure staff totalling £100. Following investigation into this gift, received from a customer, which had been accepted, additional reminders were sent to all managers in relation to the Code of Practice and the requirement to ensure staff were made aware that gifts should be entered on the register and accepted or refused in line with the Code of Practice.
- 1.6 Only one offer of hospitality was made in 2022/23 to officers, this was 2 less than last year. The offer was a lunch provided as part of an event with other authorities and was therefore acceptable.
- 1.7 The Gifts and Hospitality Register for Officers appears at Appendix 1. The Gifts and Hospitality Register for Members is not appended as it contains no entries for 2022/23.
- 1.8 In reviewing the register for officers, there are 9 more entries for 2022/23 than 2021/22 (26 in that year), but it is still a significantly lower number than in 2019/20 (92 gifts recorded in 2019/20). This is likely to be as an ongoing result of the Covid-19 pandemic which saw fewer customers having face to face interactions with officers. In addition, with fewer networking events and conferences being held face to face due to the pandemic, offers of hospitality remain low.
- 1.9 A review of the registered entries has identified that managers are generally prompt to respond and authorise gifts and hospitality where appropriate, which is an improvement. Managers have been reminded to ensure officers are declaring any gifts and hospitality received. Further training on Gifts and Hospitality will be provided if amendments to the

Code of Practice are subsequently accepted.

- 1.10 Other than as reported above, generally there are no specific issues in relation to the value of gifts accepted, or repeat gifts from the same company which would give rise to a cause for concern.
- 1.11 In reviewing the register for Members, again there have been no entries in 2022/23. Historically, members have predominantly recorded offers of hospitality from attendance at events and conferences and generally with a value under £50. As conferences return to normal, members continue to be reminded to ensure any gifts and hospitality offered are recorded on the register.
- 1.12 As indicated, a review of the Gifts and Hospitality Code of Practice has been undertaken in consultation with SLT. As the Code of Practice forms part of the Employee handbook, the changes, in so far as they affect staff, need to be agreed by Appointments and Conditions or Service Committee (ACSC) for consultation with unions, as they form part of staff conditions of service. The amended Code of Practice is currently programmed for consideration by ACSC on 21 June with a recommendation that consultation with the Unions is undertaken. Following consultation and final approval by ACSC, the changes will be brought to this committee for approval in so far as they relate to Members.
- 1.13 In general terms, the changes proposed to the Code of Practice are not significant but reflect organisational changes and structure changes as well as providing a clearer narrative as to the reasons for the Code of Practice and clarity as to whom the Code applies to. The Code now also links to the newly approved Officer declaration of Interests policy and in terms of Members, the Code reflects what is in the current Code of Conduct but also reminds Members to ensure all gifts and hospitality are disclosed for recording on the central register of gifts and hospitality.

2 Proposal

- 2.1 It is proposed that the Committee notes the report in terms of the annual review of Gifts and Hospitality and work undertaken to review the Code of Practice.

3 Alternative Options

- 3.1 Not to provide an update on gifts and hospitality offered to officers and members, however, given that the Code relates to officers and members, this is considered to be the appropriate forum for consideration of such offers.

4 Financial Implications

- 4.1 There are no financial implications arising from this report, as indicated, all gifts and hospitality accepted were of a low value.

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 their 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. Under the Code of Practice, members are also required to record gifts and hospitality on the gifts and hospitality register, in addition, refusal of gifts offered should also be recorded.
- 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 but which should be kept under review.

6 Equalities Implications

- 6.1 There are no direct equality 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 2022/23.

9 Background Papers

- 9.1 None.

Statutory Officer approval

Approved by the Chief Financial Officer

Date:

Drafted by the Monitoring Officer