

COUNCIL BUSINESS COMMITTEE

Councillors' Code of Conduct: Offers of Gifts and/or Hospitality

29 February 2024

Report of the Monitoring Officer

PURPOSE OF REPORT

To ask the Committee to approve revisions to the Councillor Code of Conduct which have been recommended by the Standards Committee and to report the changes to full Council.

This report is public.

RECOMMENDATIONS

- (1) That Council Business Committee approve the revisions to the Councillors' Code of Conduct set out below and in the report to the Standards Committee.
- (2) That the decision be reported to full Council for noting to ensure that all Councillors are aware of the revised requirements.

1.0 Introduction

1.1 The Standards Committee has responsibility for advising Council on the adoption or revision of its Code of Conduct for Councillors. At the Committee's meeting on 11 January 2024 Members considered a revision to the Code regarding gifts and hospitality. The revisions had been requested by the internal auditors following an audit of interests. The Committee resolved:

- (1) That the Standards Committee recommend that the Council Business Committee approve the following revision to the Constitution with a new paragraph 13 titled "Offers of Gifts and Hospitality":

"Councillors should not normally accept gifts or hospitality. While gifts or hospitality can be offered for benign reasons it is important for your reputation, the reputation of the City Council and for the reassurance of the public that decision-making is not being improperly influenced, that you do not routinely accept gifts or hospitality offered to you as a Councillor.

You must notify the Monitoring Officer in writing of details of any gift or hospitality with an estimated value of at least £50 that you have received in connection with your role as a Councillor, and details of the donor. Forms are on the Intranet [HERE](#) (a link to the form will be provided) for Councillors. However,

simply accepting gifts or hospitality and then registering it does not mean that it may be seen as reasonable. Accepting an expensive meal from somebody who is negotiating for a contract with the council, for example, is not 'made right' by being recorded on a public register.

There will be times when turning down hospitality or gifts could be seen as causing unnecessary offence. For example, if you have been invited as a ward councillor to a local festival or faith celebration along with other members of the community then it may be entirely appropriate to accept the hospitality. However, you should always exercise particular caution if the organisers are involved in ongoing negotiations with the City Council on a particular matter.

Where you are offered a gift or hospitality but decline it you should nevertheless notify the Monitoring Officer. That helps the Monitoring Officer to identify if there are any patterns which indicate that some person or organisation might be seeking to influence Councillors.

Even for gifts or hospitality under £50 you should always notify the Monitoring Officer if the gift/hospitality could be perceived as something given to you because of your position. This is especially relevant where the gift or hospitality is from somebody who you know has put in an application, or is about to put in an application, to the City Council, even where that hospitality falls below £50. While that would not be a matter for the public register it again allows the Monitoring Officer to be aware of any patterns. Any accumulation of small gifts you receive over two to three months from the same person or organisation that add up to £50 or over should also be registered, in the interests of transparency."

- (2) That the Standards Committee recommend that the revised declaration form appended to the report be adopted and linked to the Code online.
- (3) That having approved the revisions to the Code of Conduct the Council Business Committee be recommended to report the decision to full Council for noting to ensure that all Councillors are aware of the revisions.

2.0 Proposal

- 2.1 The original report to the Standards Committee is attached and explains the reasons for the revisions and the proposed new form to record offers of gifts or hospitality which will be available via a link on the front page of the 'for Councillors' section of the intranet..

3.0 Conclusion

- 3.1 The Committee is asked to approve the revisions recommended by the Standards Committee and to report to changes to full Council to make sure that all Councillors are aware of the new requirements relating to offers of gifts and hospitality.

CONCLUSION OF IMPACT ASSESSMENT

(Including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None identified.

FINANCIAL IMPLICATIONS

None identified.

LEGAL IMPLICATIONS

None identified.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has no comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has contributed to the drafting of this report in his name.

BACKGROUND PAPERS

None

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