

STANDARDS COMMITTEE

Councillors' Code of Conduct – Councillors Gifts and Hospitality

11 January 2024

Report of the Monitoring Officer

PURPOSE OF REPORT

To consider recommending to Council, or Council Business Committee (CBC), that wording be added to the Code of Conduct for Councillors. The wording provides further information for Members on acceptance and refusal of offers of gifts and hospitality and the requirements to declare such offers, whether accepted or not. A revised declaration form is also included with the report for recommendation to Council/CBC.

This report is public.

RECOMMENDATIONS

- (1) That the Committee considers the wording in paragraph 2.2 regarding gifts and hospitality and the revised declaration form (appended to this report).**
- (2) That:**
 - a) The Committee recommends to Council or Council Business Committee that the wording in paragraph 2.2 be approved for addition to the Councillors' Code of Conduct and;**
 - b) The declaration form appended to the report be adopted and linked to the Code online.**

1.0 Introduction

1.1 This Committee is responsible for considering any revisions to the Code of Conduct for Councillors and making recommendations to Council or Council Business Committee for approval of such revisions.

1.2 Currently the Code of Conduct, in Part 4, Section 2 of the Constitution, makes brief reference to Gifts and Hospitality. The wording is that Councillors must notify the MO is 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.*

- 1.3 In late 2022, the Council's Internal Audit carried out an audit of interests and among the actions agreed in January 2023 were that "The Councillors' Code of Conduct should be updated to ensure that it comprehensively sets out the information requirements to be recorded when declaring a gift or hospitality" and that Democratic Support would review the Member Declaration Forms for gifts and hospitality.

2.0 Proposal

- 2.1 To bring the information and requirements of the Code up to date with current guidance it is proposed to amend and expand the information in the Code with additional text in a new paragraph 13 titled "Offers of Gifts and Hospitality" as follows:

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 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.

- 2.2 The current declaration form does not ask for information about gifts or hospitality which has been declined; only those which have been accepted. Appendix 1 shows a revised form to capture information about gifts/hospitality which have either been declined or accepted. If approved, this form will be linked to the Constitution and available on request from Democratic Support.

3.0 Conclusion

- 3.1 The Committee is asked to recommend to Council or CBC that the Code of Conduct for Councillors and declaration form for gifts/hospitality be revised, as set out in this report, to reflect accepted standards of conduct.

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 been consulted and has no comments.	
MONITORING OFFICER'S COMMENTS	
The Monitoring Officer has contributed to the drafting of this report in his name.	
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None	