

**AUDIT AND STANDARDS COMMITTEE  
16 JANUARY 2019**

<b>Title: Review of Gifts and Hospitality Registers</b>	
<b>Report of: The Monitoring Officer</b>	
<b>Open</b>	<b>For Information</b>
<b>Wards Affected: None</b>	<b>Key Decision: No</b>
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<b>Accountable Divisional Director: Fiona Taylor, Monitoring Officer and Director of Law &amp; Governance</b>	
<b>Accountable Director:</b>	<b>Chris Naylor, Chief Executive</b>
<b>Summary:</b>	
This report provides the information on registrations of gifts and hospitality received by Councillors and Officers, to enable a periodic review of the same and to consider any comments or observations considered appropriate in this regard.	
<b>Recommendation(s)</b>	
That the declarations of Gifts and Hospitality by Members and Officers of the Council set out in the Appendix B and the review of the Registers be noted.	
<b>Reason(s)</b>	
To provide a periodic review of the Gifts and Hospitality Registers, and to highlight that systems are in place to ensure Members and officers are aware of the need to inform the Monitoring Officer and complete the forms to register any gifts and hospitality or other benefits received where the value of the item or benefit exceeds an amount of £50.	

**1. Introduction and Background**

- 1.1 Under the Members' and Employees' Codes of Conduct, Councillors and Officers are required to register any gifts, hospitality or other benefits received where the value of the item or benefit exceeds an amount of £50.
- 1.2 The Audit and Standards Committee's terms of reference include the role of advising on the contents of and requirements for codes / protocols / other

procedures relating to standards of conduct throughout the Council and implementation.

## **2. Proposal and Issues**

2.1 The Members Code of Conduct and the Officer Code of Conduct are contained in the Council Constitution and the key extracts are attached to this report as **Appendix A**. These Rules set out clearly the requirement to declare hospitality and gifts given and received.

2.2 Details of gifts and hospitality received and given by councillors over a rolling period of twelve months are recorded on each individual Member's record on Modern Gov and can be accessed at any time under the respective page for each councillor on the Council's website.

The entries on Modern Gov are cross referenced to a schedule in the paper register which records the total number of declarations made and by whom.

2.3 Electronic recording of gifts and hospitality for officers are in a different format and also in place and there continues to be officer contacts in each department.

2.4 Members' Services hold and maintain the registers on behalf of the Monitoring Officer. Set out in **Appendix B** are the print runs setting out all the gifts and hospitality that were registered by Members since the May 2018 elections and the same in **Appendix C** for officers (from January 2017) to 31 November 2018.

2.5 Checks are carried out periodically of the information contained in the registers.

2.6 As will be seen from Appendixes B and C, there have been eight declarations of gifts and hospitality for Councillors and twenty-three declarations of gifts and hospitality for Officers.

### Analysis

2.7 In keeping with previous reports most of the declarations for both Members and officers relate to hospitality rather than gifts.

2.8 For Members all the declarations were related to hospitality consisted of celebratory dining, fact-finding trips and a sporting event.

2.9 The twenty-three entries by officers, are for a longer period than Members. Seven were mainly gifts below the obligatory threshold value £50 except for one a hamper estimated to be valued at £200 which was put into a raffle. The rest related to hospitality and principally tickets to awards dinners of which Penna, a recruitment consultancy agency paid for three dinners over the period. There were two international trips paid for officer speakers of £280 (Germany) and £1,000 (Canada).

2.10 In summary the entries are compliant with the Councils rules. Councillors and officers are reminded bi-annually, including prior to the festive season, of the rules around gifts and hospitality by the Monitoring Officer.

### **3. Options Appraisal**

3.1 None

### **4. Consultation**

4.1 None

### **5. Financial Implications - None**

### **6. Legal Implications**

*Implications completed by: Suzan Yildiz Deputy Head of Legal Services*  
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6.1 The Monitoring Officer of the authority has a statutory duty under the Localism Act 2011 to establish and maintain a public register of Councillors' interests. The Register of Gifts and Hospitality for Members is an important instrument of openness and good governance. It provides an accessible record of the gifts and hospitality received by Members. Monitoring and review of the register helps to contribute to better corporate governance which underpins the delivery of high-quality services.

6.2 The Constitution and the Members Code of Conduct requires Members to register any gifts and hospitality or other benefits received where the value of the item or benefit exceeds an amount of £50 where they have been received in connection with their official duties as a member and the source of the gift or hospitality. A mirror provision applies to officers. The names of individual service users who made gifts and non-chief officers have been redacted in accordance with Section 40(2) of the Freedom of Information Act 2000.

6.3 The gift or hospitality must be registered within 28 days of receiving it. The obligation to disclose continues for three years.

### **7. Other Implications**

7.1 **Risk Management - None**

7.2 **Contractual Issues - None**

7.3 **Staffing Issues – None other than stated within the report.**

7.4 **Customer Impact - None**

- 7.5 **Safeguarding Children** - None
- 7.6 **Health Issues** - None
- 7.7 **Crime and Disorder Issues** - None
- 7.8 **Property / Asset Issues – None**

**Background Papers Used in the Preparation of the Report:**

The Councils Constitution

**List of appendices:**

Appendix A - Extracts from Council Constitution Part five Chapter One and Chapter Four: Members Code of Conduct Para 13 and Employees Code of Conduct Para's 10,13 &14 – Gifts and Hospitality

Appendix B – Register of Gifts and Hospitalities- Members Post May Election 2018 to 31 November 2018

Appendix C - Register of Gifts and Hospitalities- Officers January 2017 to 31 November 2018

## **Appendix A**

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### **Extracts from the Constitution on Gifts and Hospitality**

#### **Members *LBBB Constitution Part 5, Chapter 1 - Councillors' Code of Conduct***

##### **13 Gifts and Hospitality**

13.1 You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with an actual or estimated value of £50 or more which you have accepted as a Councillor from any person or body other than the Council.

13.2 The Monitoring Officer will place your notification on a public register of gifts and hospitality.

#### **Officers - *LBBB Constitution Part 5, Chapter 4 – Employee Code of Conduct***

##### **10. Bribery Act 2010**

10.1 It is a serious criminal offence for employees corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If such an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

AND

##### **13. Hospitality**

13.1 Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the Council at a particular event.

13.2 Offers to attend purely social or sporting functions must be accepted only when they are for the benefit of the Council or in connection with a civic or courtesy visit.

13.3 All gifts and hospitality offered, whether accepted or not, with a value of £50 or more must be recorded in a register of gifts and hospitality. For officers at or above the level of team manager, a register is maintained by the monitoring officer. For all other officers a register is kept by the relevant Director.

13.4 When hospitality has to be declined, those making the offer must be

courteously but firmly informed of the procedures and standards operating within the Council.

13.5 Employees must not solicit or accept personal gifts, other than ones of a token value such as pens and diaries. Any firm or individual who wishes to make a gesture of goodwill to the Council or its officers should be redirected to the Mayor's Charity Fund.

13.6 When receiving authorised gifts or hospitality employees must be particularly sensitive to timing in relation to any decisions which the Authority may be taking in connection with those providing the gift or hospitality. Hospitality which may compromise an officer's impartiality or have the perception of doing so must be declined.

13.7 Acceptance of hospitality at conferences and courses is acceptable where (i) it is clear that the hospitality is corporate rather than personal, (ii) the employee's manager gives consent in advance, and (iii) the employee's manager is satisfied that any purchasing decisions are not compromised.

13.8 Where authorised visits are required to inspect equipment, meet with prospective service providers etc, officers must ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

#### **14. Sponsorship**

14.1 Where an outside organisation wishes to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

14.2 Where the Council wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interest.

14.3 Similarly, where the Council, through sponsorship, grant aid, financial or other means, gives support in the community, employees must ensure that impartial advice is given and that there is no conflict of interest.

**Appendix B – Register of Gifts and Hospitalities- Members  
Post May Election 2018 to 31 November 2018**

<b>Member</b>	<b>Date</b>	<b>Hospitality/ Gift Description</b>	<b>Donor</b>	<b>Value</b>
<b>Councillor Ashraf</b>	25/10/2018	Attendance at International Workshop. Challenges of a Digital City for disadvantaged neighbourhoods corporate Hospitality including flights, accommodation & evening meal	offered by VHW - Federal Association for Housing and Urban Development	£310
<b>Councillor Carpenter</b>	20/09/2018	Attendance and hospitality at Sunday Times British Homes 2018 Awards at Marriott Hotel, Grosvenor Square Invited as Mitchell Close in Becontree Ward was shortlisted for the 'Housing in Crisis Solution	Be First and Jerram Falkus Construction Ltd	<b>£300</b>
<b>Councillor Haroon</b>	26/07/2018	Essex v India Hospitality ticket	Essex County Cricket Club	£119
	20/09/2018	LAPF Investment Awards 2018 Complementary Dinner in connection with award ceremony	LAPF	<b>£100</b>
	15/10/2018	7th CEFTUS Gala Dinner	Ibrahim Dogus - Director friend	<b>£100</b>
<b>Councillor Rodwell</b>	18/10/2018	David Bailey Book Launch and dinner	Camera Eye Ltd	<b>£55</b>
	04/10/2018	Policy and Resources Committee Dinner	City of London Corporation	<b>£56</b>
	25/08/2018	- Now That's A Festival - Central Park, Dagenham; 10 complimentary VIP tickets	ADS Events	<b>£850</b>

Appendix C - Register of Gifts and Hospitalities- Officers  
**January 2017 to 31 November 2018**

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Print run of Officers Declarations of Gifts and Hospitality