

TELFORD & WREKIN COUNCIL

STANDARDS COMMITTEE – 17th SEPTEMBER 2009

UPDATE OF THE COUNCIL'S GIFTS & HOSPITALITY GUIDANCE

REPORT OF THE INTERIM CORPORATE DIRECTOR: RESOURCES

1. PURPOSE

- 1.1 To obtain the approval of the Standards Committee to the updated Gifts and Hospitality Guidance to support the Constitution and maintain the high standards operating within the Council.

2. RECOMMENDATIONS

- 2.1 That the Committee endorses the updated Gifts and Hospitality Guidance attached at Annex 1 and recommend its adoption by the Council.**

3. SUMMARY

- 3.1 The Gifts and Hospitality Guidance was last updated in March 2006 and agreed by the Standards and Audit Committee in April 2006. Good governance promotes that appropriate policies and guidance should be subject to regular review.
- 3.2 In 2007 the Members Code of Conduct was updated to include revised requirements for members in respect to registering gifts and hospitality. The requirements of the updated code have been incorporated into this guidance.
- 3.3 In the CAA Use of Resources KLOE 2.3 - "Does the organisation promote and demonstrate the principles and values of good governance?" the Council has to demonstrate that there are proper gifts and hospitality procedures which employees and members are aware of and how these procedures are reviewed and monitored.
- 3.4 Employees and members are reminded of the gifts and hospitality guidance on an annual basis and during induction. However there have been some minor queries raised since the last review and the latest internal audit of gifts and hospitality is recommending that the current guidance requires clarification and the format of the information held is updated.

4. PREVIOUS MINUTES

- 4.1 Standards and Audit Committee 4th April 2006.

5. INFORMATION

- 5.1 Within the Constitution - Part 4 – Rules of Procedure, Section 6 – Financial Regulations, paragraphs 10.3 and 10.4, the Council sets out its broad policy on gifts and hospitality. The Gifts and Hospitality Guidance has been developed to support and to provide more detailed practical help in its implementation.
- 5.2 The key change is the introduction of a form for employees to complete when registering the offer of gifts or hospitality. This is being introduced to ensure there is a consistent and

full record of what has been offered and the action taken. The employee form is attached as Appendix B to the guidance. The employee will sign the form along with their line manager. The register holder will review the completed forms and retain them on a file or register within each Portfolio or Chief Executive/Policy, Performance and Partnership for 3 years.

- 5.3 Members will be required to provide information to the Monitoring Officer but only to the level required by their statutory Members Code of Conduct and this guidance. Appendix A is a checklist for Members to identify the relevant information that will be required. Where Members have been offered gifts/hospitality of a value over £25.00¹ they should inform the Monitoring Officer. It is their responsibility to update their register of interests with the nature of the gift/hospitality and the person/organisation who offered it. Information will be held for 3 years (as required by statute).
- 5.4 Other minor changes (in the tracked changes version of Annex 1) have been made as summarised below:
- a) Increase the token gift value to £25.00 to be consistent with the legal requirements of the Members Code of Conduct.
 - b) The restatement of the requirement to record details of gifts and hospitality that have been refused (paragraph's 2.7 and 3.3).
 - c) Clarifications to paragraph's 1.3, 1.6, 1.7, 1.8, 3.1 and 3.5.
 - d) Updates to reflect organisational changes and changes to other policies and procedures.
- 5.5 This revised guidance has been presented to and agreed by Group Leaders and the Corporate Management Team (CMT).
- 5.6 When agreed the updated guidance will be communicated to all members and officers and will be available on the intranet. Register holders will be separately briefed and trained.
- 5.7 There will continue to be an annual reminder in the Autumn to all employees and members. Internal audit will also continue to review application of the guidance.

6. OTHER CONSIDERATIONS

AREA	COMMENTS
Equal Opportunities	This guidance operates within the Council's Equal Opportunities Policy.
Environmental Impact	None
Legal Implications	The policy relating to gifts and hospitality will supplement the statutory provisions already in place. Accordingly it should be noted that the process proposed in the report does not replace the statutory obligations which remain. For example, elected members are required to register details of any gifts and/or hospitality received (over £25.00) in their capacity as an elected member with the Monitoring Officer within 28 days of receiving it. Failure to do so will amount to a breach of the Members' Code of Conduct.

¹ Members are reminded that the threshold value of £25.00 is the cumulative value from one source i.e. several gifts or hospitality from one source with a total value over £25.00.

Links with Corporate Priorities	This guidance links to the Council's Priority 7 - An efficient, effective and customer-focused council that delivers value-for-money for the community". Within this specifically sub priority 5 which is concerned with "Robust corporate management arrangements that are based on the principles of good governance".
Financial Implications	Any implications arising from the update and awareness/ communication of this guidance will be met from existing budgets.
Opportunities and Risks	The risks of not having proper guidance and awareness across the Council would impact greatly on the Council's reputation and high standards that it promotes. Proper guidance and recording provides an opportunity to demonstrate that offers made are accepted and rejected in line with the guidance
Ward Implications	District wide implications.

7. BACKGROUND PAPERS

Constitution March 2009 and Gifts and Hospitality Guidance 2006

Various similar procedures from other local authorities (Accessed from the internet)

The Local Authorities (Model Code of Conduct) Order 2007

Report prepared by Jenny Marriott – Audit & Risk Manager telephone: 01952 383101 and Jonathan Eatough – Monitoring Officer telephone 01952 383200.