

Somerset Council

Full Council
20 December 2023



Report of the Standards Committee – members’ declaration of gifts and hospitality

Chair of the Standards Committee: Councillor John Bailey

Lead Officer: David Clark, Service Director – Governance, Democratic and Legal Services

Authors: Scott Wooldridge and Steve Taylor, Democratic Services

Contact Details: steve.taylor@somerset.gov.uk

1. Summary

- 1.1 The Standards Committee reviewed the level at which Gifts and Hospitality are declared by elected members under the Members Code of Conduct (Part H) of Somerset Council’s Constitution.
- 1.2 The Committee recommend to Council that the level at which Gifts and Hospitality be declared by elected members be reduced from the current £50 to £10 and that the form members complete be amended, to further improve openness and transparency.

2. Recommendations

- 2.1 That Full Council amend the Section 9 (Gifts and hospitality) of the Members Code of Conduct, Part H of Somerset Council’s Constitution, as follows:
 1. That paragraph 9.5 of the Members Code of Conduct be amended to ‘I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £10 within 28 days of its receipt.’
 2. That paragraph 9.6 of the Members Code of Conduct be amended to ‘I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £10 that I have been offered but have refused to accept within 28 days of the offer. It is recommended that a member sets out their reasons for either refusing or accepting.’

3. Amendments to the declaration form so that elected members indicate whether the gift and hospitality being declared had been accepted or not.
4. That a non-mandatory box be added to the declaration form to allow members to give reasons, should they wish to do so, as to why they accepted or refused the gift or hospitality being declared.

3. Background

- 3.1 Somerset Council adopted the Local Government Association (LGA) Model Code of Conduct following a decision of Full Council in February 2022 ahead of the elections in May 2022. That Code was incorporated into the new Council's Constitution that was approved in February 2023. This has transitioned to the new Somerset Council from 1 April 2023.
- 3.2 The Members' Code of Conduct sets out the requirement that Somerset Council Members should declare any gifts or hospitality either accepted or rejected by a member over an estimated value of £50. Many councils have adopted that approach for their councillors to declare any gifts or hospitality.
- 3.3 The Committee reviewed the current requirements at its meetings on 30 August 2023 and 25 October 2023 where the Committee's Priority Group 3 made recommendations regarding revisions to the current arrangements for members to declare any gifts and hospitality.

4. Implications

- 4.1 Changing the estimated value for declarations from £50 to £10 represents a significant change from the LGA Model Code of Conduct **and** from the Model Code of Conduct which the Council, and its predecessor Councils, had all been encouraging all the city, town and parish councils in Somerset to adopt.
- 4.2 Reducing or increasing the level at which declarations need to be made will place a greater or lesser reliance on Members to ensure they make declarations.
- 4.3 Democratic Services administers the Register of Gifts and Hospitality and any changes to the current requirements would require some procedural and administration changes to be made.

5. Background Papers

- 5.1 The Constitution and Governance Committee's report to Full Council on 22 February 2023. [Constitution & Governance Committee report](#)
- 5.2 The report considered by the Standards Committee on 25 October 2023 ([Review of Gifts and Hospitality - Updated report and appendices](#))

Note For sight of individual background papers please contact the report author