

Update on the Registration of Gifts and Hospitality by Members and Officers

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Purpose of the report

In order to monitor compliance with the code of conduct and to make recommendations should any issues be revealed by its consideration of the matter, the Monitoring Officer intends to produce a regular report to this committee for members' consideration, review and comment.

Recommendations

To note the contents of the report and agree to continue to receive this report on an annual basis.

Background

It is proposed by the Monitoring Officer that he provides regular reports to the Committee regarding the Gifts and Hospitality that have been registered by Members and Officers. This report provides information for the period from September 2013 to date. It is being suggested that an annual update be provided to this Committee.

Report

Members will find attached to this report, as Appendix A, details of any gifts and hospitality which have provided/presented to both Members and officers.

As Members will be aware under SSDC's code of conduct they are required to notify the Monitoring Officer of all gifts and hospitality with a value in excess of £25 which they accept from any person or body (other than SSDC!) and which has been given to them in their capacity as a Member. The details of such a gift or hospitality will then be placed on a public register as it forms part of the Member's register of interests. Members have been provided with guidance on gifts and hospitality (as endorsed by this Committee) and this Guidance forms part of the Council's constitution (See Appendix B). The register does not include any gifts and hospitality which have been accepted by the Chairman in his official capacity as the Council's formal civic representative. These are already reported to Council as part of his list of engagements.

Members will also be aware that there is no longer any statutory code of conduct and therefore no requirement that councils have any provision in relation to gifts and hospitality. If a town and parish council have adopted our code of conduct then their Members will be subject to the same requirements set out above. However if they have adopted a different code, including that provided by the National Association of Local Councils (NALC), then they may not be subject to this requirement. A number of our town and parish councils have adopted other codes.

In relation to Officers, attached as Appendix C is an extract from the staff code of conduct which deals with the treatment of gifts and hospitality. Members will note that the provisions which relate to Officers are considerably more restrictive as arguably they should be. However there are occasions when common-sense has to prevail to avoid waste or unnecessarily upsetting the person who wishes to record their appreciation in some small way. The register lists all the gifts and hospitality received and how each were dealt with. It is important that this information is recorded to remove any suggestion that it has had any influence over how an Officer may have carried out their responsibilities. The Council's approach sends out a clear message to the public that no Officer will benefit from any gifts or hospitality (other than to the very small extent identified in the register) and thus their decision making will not be influenced by such matters.

Whilst it is accepted in relation to Members and Officers that the register only captures what both reveal as the gifts and hospitality they have received, the Monitoring Officer can confirm that no complaints have been received during this period that either a Member is in breach of the code of conduct for not registering a gift or hospitality or that an officer has accepted something and either not registered it or failed to follow the process set out in the staff code of conduct. Similarly, no complaint has been received by the Monitoring Officer about any town or parish Members in relation to such matters.

Without a formal mechanism for reviewing the relevant Register of Gifts and Hospitality, the Council risks not discovering failings in the maintenance of it or inappropriate behaviour. This could lead to reputational damage to the Council and personal action against individual Members or Officers. This risk will be considerably reduced by regularly reviewing the Register to ensure that advice and guidance is provided to Members and Officers on the proper upkeep and entry on the Register.

Financial Implications

There are no financial implications at this stage.

Other Implications

There are no other implications.

Background Papers: Constitution of SSDC
