

North East Derbyshire District Council

Standards Committee

26 February 2015

Gifts and Hospitality Annual Report
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Report No ADGMO1/15/MK/SS of the Assistant Director – Governance and Monitoring Officer

This report is public

Purpose of the Report

- To advise the Committee of the details of all entries in the Council's Gifts and Hospitality Register in respect of offers of gifts and hospitality made to members and officers of the District Council during the period 1 November 2013 to 31 October 2014. This report is submitted in accordance with the decision of the Ethical Standards Committee from its meeting on 4 November 2010.

1 Report Details

- 1.1 The Council's Constitution, Part 5 specifies detailed arrangements for the registering of gifts and hospitality made to members and officers. A copy of the provisions of the Constitution in respect of gifts and hospitality are attached as **Appendices A and B** to this report. Details of the entries in the Council's Gifts and Hospitality Register for the period 1 November 2013 to 31 October 2014 is attached as **Appendix C** to this report.

I have been advised that the Council's Strategic Alliance Management Team (SAMT) have requested that, in future, details of the Gifts and Hospitality Register are not included in The News. Copies will be published on Council's website. A copy of the Gifts and Hospitality Register is available for the public to access, as are the public session copy of the agenda and reports for this Committee. The Committee's views on this proposal are requested.

2 Conclusions and Reasons for Recommendation

- 2.1 It is important that there is a clear process for the recording and reporting of gifts and offers of hospitality offered to members and officers of the District Council.
- 2.2 The annual reporting of offers of gifts and hospitality made to members and officers ensures that the Council's performance on this matter is monitored on a regular basis and that any changes in procedure can be introduced if necessary.

3 Consultation and Equality Impact

- 3.1 The annual reporting of offers of gifts and hospitality made to members and officers should together with other measure undertaken by the Council support the clarity of the reporting process.

4 Alternative Options and Reasons for Rejection

- 4.1 There were no alternative options considered and rejected. The report is submitted in accordance with the decision of the Committee from its meeting on 4 November 2010.

5 Implications

5.1 Finance and Risk Implications

There are no financial implications arising directly from the content of this report. Any costs arising will be met from within existing budget provision.

5.2 Legal Implications including Data Protection

The Council previously had a zero tolerance approach in respect of gifts and hospitality. Following a recommendation of this Committee, Council as part of its review of the Constitution, set a lower limit of £25 for the declaration of gifts and hospitality.

5.3 Human Resources Implications

There are no Human Resources implications arising directly from the content of this report.

6 Recommendations

- 6.1 That the content of the fourth Annual Report regarding entries in the Council's Gifts and Hospitality Register for the period 1 November 2013 to 31 October 2014 in respect of offers of gifts/hospitality made to members and officers be noted.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
District Wards Affected	None directly
Links to Corporate Plan priorities or Policy Framework	High Performing Council

8 Document Information

Appendix No	Title
A	Extract from the Council's Constitution: Protocol on gifts and hospitality
B	Extract from the Council's Constitution
C	Schedule of Gifts and Hospitality 1 November 2013 to 31 October 2014.
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Not applicable.	
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EXTRACT FROM THE COUNCIL'S CONSTITUTION

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Protocol on gifts and hospitality

This protocol has been adopted by the Council to give guidance to *Councillors* and officers about registering gifts and hospitality.

- 1 This Protocol relates to offers of gifts, favours or hospitality of £25 or more that are made, given, or afforded to you in your capacity as a Member/officer whether you accept it or not. It is not intended to cover the ordinary social relationships which people enjoy with friends, provided that the friend is not applying to the Council for anything, seeking to do business with the Council, or involved in an ongoing business relationship with the Council.
- 2 You must declare in writing to the *Monitoring Officer* within 28 days of being offered or receiving it any gift or hospitality of £25 or more. Such a declaration will be recorded in a register which will set out the date of declaration, the date on which the Member/officer received the hospitality, the name of the Member/officer, the nature of the gift or hospitality and, if a gift, what was done with it. The register will be countersigned by the *Monitoring Officer*.

Hospitality

- 1 Employees must treat with extreme caution any offer, gift, favour or hospitality made to them personally.
- 2 If there is a genuine need as a legitimate part of an employee's job to accept offers of hospitality this may be allowed. The decision whether to accept is one of common sense, however, any employee who is in doubt about the legitimacy of any offer of hospitality must ask his/her Senior Officer or Senior Manager for advice.
- 3 When considering whether or not to accept hospitality employees must be sensitive to the timing of decisions for letting contracts for which the provider may be bidding and must never accept hospitality from a contractor during a tendering period.
- 4 Acceptance by employees of hospitality at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal.
- 5 Any offer, gift, favour or hospitality as described in the above paragraphs should only be accepted where the employee is satisfied that any purchasing, planning or other Council decisions are not compromised. Employees should not place themselves in a position where their own integrity and the integrity of the Council may be called into question.
- 6 When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the Council.
- 7 Employees must not accept significant personal gifts from contractors and outside suppliers. Insignificant tokens such as pens or diaries may be accepted.
- 8 A register is maintained by the *Monitoring Officer* which is open to inspection by the Standards Committee of the Council. This register should be used by any employee of the Council who accepts any gift, favour or hospitality made to them of the value of £25 or more and accepted by them personally or on behalf of the Council.

Sponsorship - Giving and Receiving

- 1 Where an outside organisation wishes to sponsor or is seeking to sponsor a Local Government 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.
- 2 Where the Authority 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 the appropriate Senior Officer or Senior Manager of any such interest. 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 involved.

Entry No	Members/Officers name and Department	Date of Entry in Register	Details of Gifts/Hospitality etc (including Donor)
451	Sue Fisher	18 November 2013	Box of Tesco Chocolates (donated to foodbank) £3 – Client
452	Sharon Gillott	5 December 2013	Two Wallchart Calendars - Klipspringer
453	Andrew Green	10 December 2013	£10 cash for returning dog. AG refused but had to accept after the lady threw it into the vehicle and ran off. Passed to animal sanctuary that assists with stray dog service – Miss Kennelly
454	Nick Blaney	9 December 2013	X2 bottles of wine (donated to Chair's Charity) – Environ
455	John Knight Gareth Harper	18 December 2013	Bottle bag containing bottle of whisky, mug, coaster, golf bag and golf tees charity (Donated to Chairs) – AC Maintenance Limited
456	Steve Brunt	19 December 2013	Thorntons Food Hamper [Donated to Chair's Charity] – HW Martin Waste Limited
457	Dave Peat	24 December 2013	795g tin of Quality Street (staff nibbles) – Network Cars
458	Lisa Walton	10 March 2014	24 Hot Cross Buns (Distributed to the team. Have a short expiry date on them) – Gunstones Bakery
459	Adrian Kirkham	15 April 2014	4 Tickets to Derbyshire County Cricket Club – Councillor A Cooper
460	Kay Rodda (Elections Team)	29 May 2014	4 bottles wine [3 white, 1 red]. The 4 bottles were donated to the Chair's Charity – Mrs D Booth
461	Naomi Smith	30 May 2014	Tesco cupcakes – St Modwen Limited
462	Janine Wortley	2 July 2014	X1 Box chocolates – Mr R Poole
463	Charmaine Jack	29 July 2014	X1 Box chocolates (staff nibbles) – Mr B Miah
464	Frazer Powell	13 August 2014	1 bottle of Rose Wine. Wine donated to Chair's Charity – Councillor N Barker
465	Matthew Kane	15 October 2014	Two Dance Lessons – Councillor T Reader
466	Councillor Mrs E A Hill	2 December 2014	10 pink roses. Roses given by a member of the public for assistance on a housing matter – Member of the public

Entry No	Member/Officers name and Department	Date of Entry in Register	Details of Gifts/Hospitality etc (including Donor)
467	Joanna Hayes	9 December 2014	Box of biscuits. (less than £25) – Lower Grove Guest House
468	David Hay	11 December 2014	Flowers provided to Karen Bradbury – donated to Chair's Charity – Member of the public
469	Nick Blaney	18 December 2014	Two bottles of wine (one red, one white). Two boxes of chocolates (consumed). Wine given to Chair's Charity – Kier

Standards (0226) AGIN 5(a) – Gifts and Hospitality