

Croydon Council
For General Release

REPORT TO:	ETHICS COMMITTEE 23 November 2016
AGENDA ITEM NO:	6
SUBJECT:	GIFTS AND HOSPITALITY DECLARATIONS UNDER THE CODE OF CONDUCT
LEAD OFFICER:	ACTING BOROUGH SOLICITOR AND ACTING MONITORING OFFICER
CABINET MEMBER:	COUNCILLOR SIMON HALL
WARDS:	ALL
CORPORATE PRIORITY/POLICY CONTEXT: The Council has determined that the Ethics Committee shall be responsible for receiving and considering reports on matters of probity and ethics and to consider and recommend revisions to the Code of Conduct.	
FINANCIAL IMPACT Implementation of the recommendations contained in this report shall be contained within existing budgets	
FORWARD PLAN KEY DECISION REFERENCE NO.: N/A	

1. RECOMMENDATIONS

The Committee is asked to:

- 1.1 Consider whether to recommend to full Council that changes be made to how gifts and hospitality are to be reported to the Monitoring Officer and declared on the Members' register under the Code of Conduct.

2. EXECUTIVE SUMMARY

- 2.1 The Council has determined that the Ethics Committee shall be responsible for receiving and considering reports on matters of probity and ethics and to consider and recommend revisions to the Code of Conduct.

3. DETAIL

3.1 The current Code of Conduct makes provision for members to make declarations subject to statutory requirements and in addition to those disclosable pecuniary interests, places a requirement on Members to declare certain gifts and hospitality received.

3.2 The Members' Code of Conduct provides as follows in relation to gifts and Hospitality:

"In addition, you must, within 28 days of taking office as a Member or co-opted member, notify your authority's Monitoring Officer of any disclosable pecuniary interests or non-pecuniary interests which the Council has decided should be included in the register. For these purposes, the Council has determined that you will disclose any gift(s) or hospitality the value of which exceeds £50."

3.3 Currently the Code does not take into account that Members may receive a number of smaller gifts/hospitality which of themselves would not amount to £50. However, if regular gifts/hospitality are received from the same donor that could indicate a pattern of behaviour which a member of the public may consider ought to be declared. Following consideration of the declaration of gifts and hospitality register by internal audit, it was recommended that Members be invited to consider updating the code to require members to make a declaration in the circumstances referenced above.

3.4 Accordingly, Members are invited to consider whether it is appropriate to impose further parameters or disclosure requirements on members where there is a frequency of gifts/hospitality of a lesser value than the £50 threshold such that the accumulated value of gifts from the same person/ organisation may amount to a value which exceeds £50 over a defined period of time. For example where a member receives a number of small gifts/hospitality from a person/organisation over a 12 month period or such time frame as members consider appropriate.

3.5 Should Members be minded to introduce these additional requirements, the following wording is proposed for inclusion into the Members Code of Conduct:

"For these purposes, the Council has determined that you will disclose any gift(s) or hospitality the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period."

4. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

4.1 There are no direct financial implications arising from this report.

5. LEGAL CONSIDERATIONS

- 5.1 The Council is required to adopt a Code of Conduct and it is good practice for Members to consider and review the Code to assess whether or not it remains fit for purpose. Ethics Committee has the role of considering the Code and making recommendations to full Council in this regard, Members views are accordingly sought in relation to the proposals within this report in relation to gifts and hospitality and the potential cumulative impact of smaller gifts/hospitality.

CONTACT OFFICERS:

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Acting Monitoring Officer
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BACKGROUND DOCUMENTS:

None