

Ethical Standards and Member Development Committee

25 September 2020

Subject:	Gifts and Hospitality Register
Director:	Director of Law and Governance and Monitoring Officer - Surjit Tour
Contribution towards Vision 2030:	
Contact Officer:	Trisha Newton Trisha_newton@sandwell.gov.uk

DECISION RECOMMENDATIONS

That the Ethical Standards and Member Development Committee:

- 1.1 Considers the Gifts and Hospitality Register and declaration of interests made by Members.

1 PURPOSE OF THE REPORT

- 1.1 Guidance is available to all members on how to treat offers of gifts and hospitality and the process for declaring such offers. This guidance forms part of the Council's Constitution.
- 1.2 The Monitoring Officer maintains a public register of members' interests and also a record of any gift or hospitality received with an estimated value of at least £100.00. The Register of Members' Gifts and Hospitality is available for inspection by the public at all reasonable hours. Declarations of gifts and hospitality by individual members are also recorded on the Committee Management Information System [CMIS] on the Council's web site and can be accessed at any time from the internet.
- 1.3 The Registers are periodically reviewed by the Director of Law and Governance and Monitoring Officer.

- 1.4 Following the Best Practice recommendations made by the Committee on Standards in Public Life, the Gifts and Hospitality Register is a standing agenda item for meetings of this Committee.
- 1.5 At the point of publishing the agenda, there have been no new entries to the Gifts and Hospitality Register since the last meeting of the Committee.
- 1.6 The Gifts and Hospitality register, guidance and arrangements/processes for publication will be reviewed as part of the forthcoming review of the Code of Conduct.

2 IMPLICATIONS FOR SANDWELL'S VISION

- 2.1 Maintenance of the Members' Register of Interests contributes to public confidence in local democracy and is an essential part of good corporate governance.
- 2.2 The Members' Register of Gifts and Hospitality is an important instrument of openness and good governance. It provides an accessible record of the gifts and hospitality received by members. Monitoring and review of the Register will help to contribute to better corporate governance which underpins the delivery of high quality services.

3 STRATEGIC RESOURCE IMPLICATIONS

- 3.1 There are no strategic resource implications arising from this report.

4 LEGAL AND GOVERNANCE CONSIDERATIONS

- 4.1 The Authority has a statutory duty under the Localism Act 2011 to promote and maintain high standards of conduct by Members. The Authority is also obliged to have in place a Code of Conduct.
- 4.2 The new standards arrangements are set out in chapter 7 of the Localism Act 2011, and in secondary legislation made under the Act, particularly in The Relevant Authorities (Disclosure of Pecuniary Interests) Regulations 2012.
- 4.3 The Localism Act 2011 strengthens requirements on members to register and disclose interests.
- 4.4 The Localism Act 2011 (and Regulations made under the Act) did not include any provisions requiring Members' or co-opted Members' to register Gifts and Hospitality, which was formerly the case. However, the Council does still have a duty to promote high standards of conduct by Members' and co-opted Members'.

- 4.5 The Members' Code of Conduct describes the interests of any person from whom a member has received a gift or hospitality with an estimated value of at least £100.00 as other registerable interest of the member.
- 4.6 The Protocol for Members' on Gifts and Hospitality sets out important guidance for Members' on the acceptance of Gifts and Hospitality.
- 4.7 Maintaining a Protocol on Gifts and Hospitality also assists the Council to comply with the requirements of the Bribery Act 2010. Under the Bribery Act 2010 all employees and Elected Members' are prohibited from soliciting, arranging or accepting bribes intended for the benefit of the Council, or for their personal benefit, or for the benefit of the employee's family, associates or acquaintances.

5 EQUALITY IMPACT ASSESSMENT

- 5.1 There is no requirement for an equality impact assessment.

6 DATA PROTECTION IMPACT ASSESSMENT

- 6.1 There is no requirement for a data protection impact assessment.

7 CRIME AND DISORDER AND RISK ASSESSMENT

- 7.1 There is no requirement for a crime and disorder and risk assessment.

Surjit Tour

Director of Law and Governance and Monitoring Officer