

Standards Committee:

Date: 24 October 2012

Agenda item: 6

Wards: All

Subject: Gifts and Hospitality – Officers

Lead officer: Paul Evans, Monitoring Officer

Lead member: Chair of Standards Committee, Councillor Peter McCabe

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Recommendations:

A. That the Committee notes the report.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. Section 4 of the Council's Officers Code of Conduct for Employees deals with the acceptance of gifts and hospitality by members of staff. Officers are required to ensure that the receipt of gifts approved by their managers and hospitality which they may receive are recorded in their departmental hospitality registers.
- 1.2. This report provides information on gifts and hospitality recorded in the hospitality registers for the period 1 October 2011 to 30 September 2012

2 DETAILS

The Code of Conduct for Employees requires that:

- All offers of gifts must be reported to managers
- Significant gifts (over £25) must be registered on the departmental register.
- Acceptance of gifts should only occur in very limited circumstances and approved in advance by the manager;
- All offers of hospitality must be reported to managers;
- The hospitality (no minimum value) must be registered on the departmental register;
- There are limited circumstances where acceptance of hospitality may be acceptable

- Hospitality received in the course of business meetings and at free training does not need to be registered, but managerial approval is required.

2.1. The inspection by the Monitoring Officer of the various register shows that:

The departmental registers continue to be maintained electronically in the adopted corporate manner in all departments.

Notifications and registrations have taken place in the departments as follows:

Registrations:

Department	Registrations	Registrations Tennis
Chief Executive's	7 (3 accepted)	2
Children Schools and Families	29 (16 accepted)	9
Community and Housing	5 (5 accepted)	5
Corporate Services	15 (14 accepted – 5 donated to Mayor's charity)	4
Environment & Regeneration	14 (12 accepted – 2 contributions to Mayor's Charity)	7
Total	70	27

- The register for the period 1 October 2011 to the 30 September 2012 contained 70 entries. 27 of these entries were in relation to the AELTC ballot which amounts to only 25% of those who won tickets. Last year 62% made declarations of those who won tickets.
- Staff either receiving complimentary centre court tickets or purchasing ground passes and tickets were given to members of staff on the ballot and the declaration form was handed to them at the same time. Corporate Management Team are recommending in the future that – only Chief Officers are required to declare individual tickets and the Council declares the block of tickets.
- The figures above again demonstrate that the levels of recorded declarations between the departments still appear inconsistent. As stated in previous reports this could be that the registers accurately reflect low level of offers at the appropriate level or it could demonstrate non compliance with the required procedure in certain departments. Community & Housing (C&H) has recorded no non tennis declarations.

- Without including the AELTC ballot, the nature of accepting gifts and hospitality accepted can be classified as falling within a number of categories:
 - Project and partnership working hospitality
 - Social events organised by commercial companies/external organisations, including awards ceremonies.
 - Gifts from businesses – there are three gifts from Children’s nurseries and a bouquet of flowers from a florist.
 - Gifts from individuals. There are several examples of these. Some gifts have been donated to the Mayors Charity and some not. In particular there are two gifts in Children Schools and Families consisting of Cava, 2 champagne flutes and Chocolates one of which was accepted by an officer. The same gift was declined by the officers in the same team. This shows an inconsistency of approach in one particular team.

Generally, other than the low numbers of declarations in relation to tennis tickets, the registers do not disclose inappropriate acceptances of gifts or hospitality. There could perhaps be more consideration of donation of gifts to the Mayor’s charity.

3. ALTERNATIVE OPTIONS

- 3.1 The Committee could decide not to have this information reported to it but has previously recognised that this would not be compatible with its role as the proactive promoter and monitor of ethical standards.

4. CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1 A review of registers was reported to Corporate Management Team on 11 September 2012.

5. TIMETABLE

- 5.1 This is an annual report.

6. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1 None

7. LEGAL AND STATUTORY IMPLICATIONS

7.1 Section 117 Local Government Act 1972 makes it an offence for an officer under the cover of office or employment to accept any fee or reward other than proper pay and benefits.

7.2 The receipt or gift of any reward or advantage for an act or omission that suggests favour to any person in their official capacity may constitute a criminal offence under the Bribery Act 2010.

8. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1 None

9. CRIME AND DISORDER IMPLICATIONS

9.1 None

10. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1 Failure by officers to address their responsibilities under the Code of Conduct could result in disciplinary action by the Council. Failure of the Council to monitor and promote the observance of the Code could result in an unnoticed lack of compliance and managers which might result in complaints, damage to the reputation of the Council, possible adverse impacts upon the quality of the Council's decision making processes and legal challenges to council actions.

11. APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

11.1 Appendix 1: Details of the Registers held by Directors for the period 1 October 2011 until the 30 September 2012

12. BACKGROUND PAPERS

12.1 None

London Borough of Merton
Gifts and Hospitality Register
01.10.11 - 30.09.12

57 Entries

Chief Executives Department = 7

Date	Name and Post	Donor & Details	Accept Yes/ No	if Yes reason	Wimbledon tickets
22.11.11	Senior Officer	Free pass to Local Government Ah Media	No		
09.02.12	Senior Officer	Free place at SOLACE Annual Charity dinner	Yes	Update on efficiency opportunities	
12.01.12	Senior Officer	Dinner Lord Mayor of City London	Yes	Municipal duty	
21.01.12	Senior Officer	Reception Rector and Dean of Southwark	No		
25.06.12	Senior Officer	Two Wimbledon tickets AELTC	Yes	Representing the Borough in a civic capacity	Yes
28.06.12	Senior Officer	Two Wimbledon tickets AELTC for Olympics	Yes	Representing the Borough in a civic capacity	Yes
04.07.12	Officer	Two Wimbledon tickets AELTC	Yes	Won the chance to purchase via the	Yes

Date	Name and Post	Donor & Details	Accept Yes/No	if Yes reason	Wimbledon tickets
				annual staff draw	

Children Schools and Families = 29

Date	Name and Post	Donor & Details	Accept Yes/No	if Yes reason	Wimbledon tickets
12.10.11	Officer	BCI Awards Dinner Acacia Intergeneration	Yes	Shortlisted for an award	
03.10.11	Senior Officer	Invitation to lecture Centre for Intelligent Design	No		
03.10.11	Officer	Mr and Mrs M Book	Yes	Insensitive to refuse	
23.11.11	Senior Officer	Invitation to dinner and drinks Dr Ray Jones	No		
15.12.11	Senior Officer	Invitation to SOLACE Awards	No		
15.12.11	Senior Officer	Invitation to LGC Awards	No		
15.12.11	Officer	Bottle of red wine Montessori School	Yes	Refusal would cause offence	
19.12.11	Officer	Face compact (part of a free gift set not for individual sale) Nursery	Yes	Refusal would cause offence	
20.12.11	Officer	Bottle of white wine Dee's Day Nursery	Yes	Refusal would have caused offence	
22.12.11	Officer	Box of Cadbury's chocolate biscuits for the whole team	Yes	Refusal would have caused	

Date	Name and Post	Donor & Details	Accept Yes/No	if Yes reason	Wimbledon tickets
		Travel care		offence	
21.02.12	Senior Officer	Invitation to 18 th birthday of Refugee Council Children's section	No		
01.03.12	Senior Officer	Invitation to LGA conference and private dinner	No		
01.03.12	Senior Officer	Invitation to MJ Awards dinner	No		
22.05.12	Senior Officer	Invitation to summer networking Senior Local Gov Consultant	No		
03.06.12	Officer	Wimbledon tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
12.06.12	Senior Officer	VIP dinner Ian Fordham & TyGoddard	No		
12.06.12	Officer	Wimbledon Tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
14.06.12	Officer	Wimbledon Tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
15.06.12	Officer	Wimbledon tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
15.06.12	Officer	Wimbledon tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
19.06.12	Officer	Wimbledon tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes

Date	Name and Post	Donor & Details	Accept Yes/No	if Yes reason	Wimbledon tickets
20.06.12	Officer	Wimbledon tickets AELTC	Yes	annual staff draw	Yes
20.06.12	Officer	Wimbledon tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
26.06.12	Officer	Two Wimbledon tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
16.07.12	Officer	M&S gift box, bottle of Cava, box of chocolates and 2 champagne flutes Mr and Mrs S	Yes	Thanks to the Adoption order granted. Would cause offence not to accept and cannot influence decisions as case for closure	
17.07.12	Officer	M&S Celebrations box with Cava, 2 flutes and Belgian chocolates	No		
14.08.12	Senior Officer	Invite to launch of knife crime awareness exhibition and drinks reception on 19 September	No		
15.08.12	Senior Officer	Invite to Zurich Municipal dinner on 16 October 2012	No		
10.09.12	Senior Officer	Drinks at National Children and Adult Services Conference 2012	No		

Date	Name and Post	Donor & Details	Accept Yes/No	if Yes reason	Wimbledon tickets
15.08.12	Senior Officer	Invite to Zurich Municipal dinner on 16 October 2012	No		
14.08.12	Senior Officer	Invite to launch of knife crime awareness exhibition and drinks reception on 19 September	No		

Community and Housing = 5

Date	Name and Post	Donor & Details	Accept Yes/No	if Yes reason	Wimbledon tickets
12.06.12	Officer	Two Wimbledon tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
12.06.12	Officer	Two Wimbledon tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
20.06.12	Officer	Two Wimbledon tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
21.06.12	Officer	Two Wimbledon tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
25.06.12	Officer	Two Wimbledon tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes

Corporate Services = 15

Date	Name and Post	Donor & Details	Accept Yes/ No	if Yes reason	Wimbledon tickets
02.11.11	Officer	Sponsored table at dinner awards – Colleague is finalists	Yes	To support colleague	
02.11.11	Officer	Sponsored table at dinner awards – Colleague is finalist	Yes	Shortlisted for ISMF	
07.11.11	Officer	Sponsored table at dinner awards – Colleague is finalists	Yes	To support colleague	
07.11.11	Officer	Sponsored table at dinner awards – Colleague is finalists	Yes	To support colleague	
22.12.11	Officer	Bottle of wine Client	Yes	Donated to Mayors Charity	
22.12.11	Officer	Black Scarf Unique Fashions	Yes	Donated to Mayors Charity	
22.12.11	Officer	Box of celebrations YMCA	Yes on behalf of Housing Benefit staff		
21.01.12	Officer	Wimbledon Tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
24.02.12	Officer	Travel Monopoly Kames Capital	No	Donated to the Mayors Charity	
15.05.12	Officer	Boquet of flowers Seasons	Yes	Would have caused great offence to refuse and was dropped	

Date	Name and Post	Donor & Details	Accept Yes/No	if Yes reason	Wimbledon tickets
23.05.12	Officer	Book Token Mr C G	Yes	Donated to Mayor's charity	
11.06.12	Officer	Wimbledon tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
11.06.12	Officer	Wimbledon Tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
11.06.12	Officer	Wimbledon Tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
13.09.12	Officer	TNS Global on behalf of DX service £10.00 love to shop voucher	Yes	Donated to the Mayors Charity	

Environment and Regeneration = 14

Date	Name and Post	Donor & Details	Accept Yes/No	if Yes reason	Wimbledon tickets
31.10.11	Senior Officer	Wimbledon Theatre tickets	Yes	Meeting new manager and will make financial contribution to the Mayors fund	Yes
22.11.11	Officer	Wimbledon Theatre tickets	Yes	Support of Theatre Partners	Yes
15.12.11	Senior Officer	Two tickets for Pantomime Wimbledon	Yes	Made a	

Date	Name and Post	Donor & Details	Accept Yes/No	if Yes reason	Wimbledon tickets
				contribution towards Mayors Charity	
18.05.12	Senior Officer	Invitation to a thank you dinner Sir David Breller	Yes	Would have been offensive to refuse the Lieutenancy office	
18.05.12	Officer	Invitation to a thank you dinner Sir David Breller	Yes	Would have been offensive to refuse the Lieutenancy office	
30.05.12	Senior Officer	Thank you dinner Sir David Breller	Yes		
12.06.12	Officer	Wimbledon Tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
13.06.12	Officer	Wimbledon Tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
14.06.12	Officer	Wimbledon Tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes
18.06.12	Senior Officer	Event Berkley Group Plc	No		
19.06.12	Officer	Wimbledon Tickets AELTC	Yes	Won the chance to purchase via the annual staff draw	Yes

Date	Name and Post	Donor & Details	Accept Yes/No	if Yes reason	Wimbledon tickets
21.06.12	Senior Officer	Attendance at MJ Awards	Yes	Nominated for award	
22.06.12	Officer	Wimbledon Tickets	Yes	Won the chance to purchase via the annual staff draw	Yes
22.06.12	Senior Officer	Meal Fujitsu	No		

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