

Standards Committee:

Date: 23 October 2013

Agenda item: Gifts and Hospitality – Officers

Wards: All

Subject:

Lead officer: Paul Evans, Monitoring Officer

Lead member: Chair of Standards Committee, Councillor Peter McCabe

Contact officer: paul.evans@merton.gov.uk

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 2012 to 30 September 2013

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
Chief Executive's	9 (5 accepted)
Children Schools and Families	18 (11 accepted)
Community and Housing	8 (2 accepted)
Corporate Services	25 (16 accepted)
Environment & Regeneration	8 (5 accepted)

- The register for the period 1 October 2012 to the 30 September 2013 contained 68 entries, 39 of which were accepted. Of those accepted 3 were donated to the Mayor's charities and 7 were in relation to the tennis championships which this committee decided last year did not need to be declared individually.
- 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.
 - Gifts from individuals.

Generally the registers do not disclose inappropriate acceptances of gifts or hospitality..

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 8 October 2013.

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 2012 until the 30 September 2013

12. BACKGROUND PAPERS

- 12.1 None