



Title of meeting: Governance & Audit & Standards Committee

Date of meeting: 27 October 2017

Subject: Compliance with the Gifts and Hospitality Protocol

Report by: City Solicitor

Wards affected: All

Key decision: No

Full Council decision: No

1. Purpose of report

To update members on any issues regarding compliance with the Gifts and Hospitality protocol and to advise on remedies.

2. Recommendations

- a) That the Committee considers whether or not to make any recommendations for change.
- b) That in the absence of any changes, the report is noted.

3. Background

- a) The Protocol for Gifts & Hospitality was approved by the Standards Committee on 12 September 2007 subject to a six month review on the 31 March 2008. The protocol and "Frequently Asked Questions" were subsequently approved by the Standards Committee on the 31st March 2008.
- b) The protocol requires an annual report by the City Solicitor on compliance to enable this committee to make any necessary recommendations for change - this report addresses that requirement.
- c) The Gift and Hospitality Policy is regularly reviewed and was last updated August 2017 (update to FAQs).

4. Reasons for recommendations

A breakdown of the entries in the Gifts & Hospitality system are contained in the appendices to support the following assessments of protocol compliance.

The total number of entries for the period covered by this report (1 September 2016 - 1 September 2017) is 137. A full data set is available; specific data reports are enclosed with this report at the appendices.

The main requirements of the protocol are as follows -



A. Items which may be accepted

Under the protocol these items must be under £25 in value for gifts and under £40 in value for hospitality (£5 gift limit for staff in Adult Social Care). They must be given without ulterior motive. There should not be any danger of misinterpretation by the public and they must not have become a frequent occurrence.

- a) There are a number of entries where the value exceeds the limits outlined above and these are dealt with specifically below.
- b) All other entries have been approved by Directors and meet the requirements of the protocol.

B. Items which must not be accepted

These include:

- those where the value exceeds £25 (gifts) or £40 (hospitality), (£5 for Adult Social Care)
- gifts of cash (this has been interpreted to also include vouchers)
- gifts from persons with whom the council is in contract negotiations (or could be) and those where we regulate or monitor services.

For the period covering this report:

- a) there are a number of entries for gifts where the value exceeds £40 (and one entry exceeding £25). These are not considered separately as they have all been either donated or rejected but can be reviewed at Appendix 5.
- b) there are a number of entries where gifts have been donated.
- c) there are a number of entries for cash or vouchers.

These entries are dealt with below. There do not appear to be any other entries that do not adhere to the general principles contained in the protocol.

C. Hospitality

- a) The principles for acceptance generally follow those in respect of gifts (except the permitted value is £40).
- b) All entries have been appropriately recorded and actioned (approved or rejected) by the appropriate Director.

D. Entries for Hospitality where the value exceeds £40

- a) A breakdown of the system entries where the value has exceeded £40 is contained at Appendix 1:
- b) Of the 7 entries where the value exceeded £40 –



- i) 3 offers of hospitality were rejected;
- ii) 4 entries were accepted where it was considered appropriate as relevant to PCC business as follows:
 - One event presented economic insights relevant to PCC financial forecasting;
 - One event provided opportunity to discuss Portsmouth tennis facilities / development;
 - One event was relevant to the Parklife initiative;
 - One event was offered by the Portsmouth Down Syndrome Association and was appropriate for parents to attend.

The hospitality was spread across the directorates of the Council with no concentration on any one directorate.

E. Entries for Adult Social Care exceeding £5 limit

- a) A breakdown of the system entries for Adult Social Care gifts exceeding £5 is contained at Appendix 2.
- b) There were 11 entries, of which 9 were accepted and 2 were donated.
- c) Of the 9 accepted entries:
 - i) One entry is for hospitality and concerns a dinner to discuss business intervention with the in-house interventions team;
 - ii) 6 gifts were shared amongst staff team;
 - iii) 1 gift was received to avoid offence following insistence by the client (pair of shoes)
 - iv) 1 gift was accepted as the receiver was a member of and had set up the Dementia Walking Group.
- d) Two entries were donated to the Lord Mayor's Appeal.

F. Cash and vouchers

A breakdown of the system entries for cash or vouchers is contained in Appendix 3.

A total of 10 entries have been noted on the register.

- a) There have been 6 cash gifts, of which all 6 were rejected.
- b) There have been 4 incidences of gift vouchers, of which all 4 were rejected.

G. Donated gifts



A breakdown of the system entries for donated gifts is contained in Appendix 4.

a) 25 gifts have been donated in total, as follows:

- i) 20 to Lord Mayor's Appeal;
- ii) 1 gift donated to staff team (under £5);
- iii) 2 gifts donated to Hospital Social Care team;
- iv) 1 gift donated to the Carers Centre;
- v) 1 gift donated to Young Persons Supported Housing.

5. Equality impact assessment (EIA)

This report does not require an Equality Impact Assessment as it does not propose any new or changed services, policies or strategies.

6. Legal implications

The legal implications are embodied within this report.

6. Director of Finance's comments

There are no financial implications arising from the recommendations contained within this report.

Appendices:

1. Hospitality exceeding £40
2. Adult Social Care Gifts over £5 Limit
3. Cash and Vouchers
4. Donated Gifts
5. All Gifts exceeding £25 limit

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Signed by:

Background list of documents: Section 100D of the Local Government Act 1972



The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Data report form Gifts & Hospitality system	Held by System Administrator

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by: