

Title of meeting:	Governance & Audit & Standards Committee
Date of meeting:	5 November 2021
Subject:	Compliance with Gifts & 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 & Hospitality protocol and to advise on remedies.

2. Recommendations

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

3. Background

- 3.1. The protocol for Gifts and Hospitality was approved by Standards Committee on 12 September 2007 subject to review and full approval on 31 March 2008. The protocol and Frequently Asked Questions have subsequently been regularly reviewed.
- 3.2. 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.
- 3.3. The Gifts & Hospitality policy is regularly reviewed and was last updated in 2018.

4. Reasons for recommendations

- 4.1. A breakdown of entries in the Gifts & Hospitality system are contained in the appendices to support the following assessments of protocol compliance.
- 4.2. The total number of entries for staff for the period 1 October 2020 - 30 September 2021 (via the Gifts & Hospitality software) is 86. A full data set is available on request; specific data reports are enclosed with this report at the appendices.

The main requirements of the protocol are as follows:

4.3. 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 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 there must not be a frequent occurrence of repeat gifts.

4.4. Items which may not be accepted

These include:

- Where the value exceeds the limits noted above
- Gifts of cash (including vouchers)
- Gifts from persons with whom the Council is in contract negotiations (or could be) and those where we regulate or monitor services

4.5. For the period covering this report, the following will be considered in turn:

- Gifts registered over £25 limit (data at Appendix 1)
- Hospitality registered over £40 limit (data at Appendix 2)
- Adult Social Care registered over £5 limit (data at Appendix 3)
- Registrations of Cash and Vouchers (data at Appendix 4)
- Donated Gifts (data at Appendix 5)
- Registrations made by Portico Shipping Limited (Appendix 6)

There do not appear to be any other entries that do not adhere to the principles contained in the protocol.

Note that Registrations by Members are contained at Appendix 6 but these are subject to a separate protocol - see paragraph 4.11.

4.6. Gifts registered over £25 limit

The total number of entries registered for gifts over the £25 limit (Appendix 1) is 9 (excluding Adult Social Care). Of these:

4.6.1. 6 gifts were rejected

4.6.2. 1 was accepted as a reward for winning Apprentice of the year 2021

4.6.3. 2 gifts were accepted and then rejected by approver on the following grounds:

4.6.3.1. One gift was of two bottles of perfume, being valued much higher than the £25 limit.

4.6.3.2. One technically not a gift, as credits provided to personal account were for testing of Voi App (i.e. work related), alternative options not possible/allowable through PCC devices.

4.7. Hospitality registered

The total number of entries registered for hospitality (Appendix 2) was 9 with 1 being registered as valued over the £40 limit. Of these:

4.7.1. The 1 offer of hospitality over £40 limit was rejected and reported the receiver being unable to attend.

4.7.2. 8 offers of hospitality were accepted for networking and to maintain working relationships with local businesses.

4.8. Entries for Adult Social Care

The total number of entries registered for Adult Social Care (Appendix 3) were 12 with those over the £5 limit is 5, with 2 over £25. Of these:

4.8.1. One was rejected in accordance with the policy.

4.8.2. One was accepted being unable to return (received by post).

4.8.3. One was accepted as refusal would have caused offence.

4.8.4. Two were accepted and shared with team

4.8.5. (over £25) One was donated to the HIVE - see Donated Gifts

4.8.6. (over £25) One was accepted, having being received by post and citing system notification failure

4.9. Entries for Cash and Vouchers registered

The total number of entries registered for cash and vouchers (Appendix 4) is 31 (32 with one duplicate entry). Of these:

4.9.1. 1 entry was donated to Lord Mayor's Appeal

4.9.2. 16 items were rejected in line with the policy

4.9.3. 14 items were accepted on the following grounds:

4.9.3.1. 1 was accepted as a reward for winning Apprentice of the year 2021

4.9.3.2. 7 were accepted as per policy

4.9.3.3. 5 were accepted as refusal would have caused offence

4.9.3.4. 1 was accepted but would be donated to the Lord Mayor's appeal when able.

4.10. Entries for Donated Gifts

The total number of entries registered for donated gifts (Appendix 5) is 5. Of these:

4.10.1. 3 gifts were donated to the Lord Mayor's Appeal;

4.10.2. 1 gift partly donated to food bank (food & hygiene items)

4.10.3. 1 gift was donated to the HIVE

4.11. Gifts & Hospitality registered for Members

Members are required to declare any gifts or hospitality from any single donor over the value of £50 as set out in the Members Code of Conduct (sections 4.1e and 12.5).

Members' declarations for the period 1 October 2020 - 30 September 2021 are summarised in Appendix 6.

5. Integrated impact assessment

The Integrated Impact Assessment is included for this report in Appendix 7, the outcome of which is neutral or no impact.

6. Legal implications

The City Solicitor's comments are embedded within this report.

7. Director of Finance's comments

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



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Signed by:

Appendices:

- Appendix 1 - Gifts over £25 limit*
- Appendix 2 - Hospitality *
- Appendix 3 - Adult Social Care *
- Appendix 4 - Registrations of cash and vouchers*
- Appendix 5 - Donated Gifts*
- Appendix 6 - Members' gifts and hospitality register
- Appendix 7 - Integrated Impact Assessment

* personal data has been redacted from these data sets.

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 from Gifts & Hospitality software system	Held by System Administrator