

Meeting of:	<b>Standards Committee</b>
Date of Meeting:	<b>Thursday, 12 March 2020</b>
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Local Authority's Register of Gifts and Hospitality
Purpose of Report:	To update the Committee following the decision of Full Council regarding an amendment to the Council's Gifts and Hospitality Policy
Report Owner:	Ms. D. Marles, Monitoring Officer / Head of Legal and Democratic Services
Responsible Officer:	Mrs. K. Bowen, Principal Democratic and Scrutiny Services Officer
Elected Member and Officer Consultation:	This report does not involve any consultation with other parties
Policy Framework:	This is a matter for the Standards Committee
<p>Executive Summary:</p> <ul style="list-style-type: none"> <li>Under the Local Government Act 2000 section 51 provides that the mandatory provisions in the (then) New Model Members Code of Conduct be adopted within six months of 1st April, 2008 by all County, County Borough and Town and Community Councils in Wales. In addition to this the Standards Committee also requested that the Council set a value for the registration of any gift, hospitality, material benefit or advantage in accordance with the Model Code of Conduct. The Vale of Glamorgan Council on 23rd April, 2008 (minute no. 1049 refers) resolved that the following values for the registration of any gift, hospitality, material benefit or advantage in accordance with paragraph 17 of the Code of Conduct be set to take effect from 5th May, 2008 - gifts £50 and hospitality £25.</li> <li>The Committee on Standards in Public Life Guidance to Local Government in England dated January 2019, recommended <ul style="list-style-type: none"> <li>Local Authorities should be required to establish a Register of Gifts and Hospitality, with Councillors required to record any gifts and hospitality received over a value of £50 or totalling £100 over a year from a single source. The requirement should be included in an updated Model Code of Conduct."</li> </ul> </li> </ul>	

- At its meeting on 23rd January, 2020, the Standards Committee recommended to Full Council that the following values for the registration of any gift, hospitality, material benefit or advantage be:  
Gifts, material benefits or advantages - £50.00 or totalling £100.00 over a year from a single source;  
Hospitality £25.00 or totalling £100.00 over a year from a single source.
- Council, at its meeting on 26th February, 2020 approved the recommended amendment to the Policy.

## **Recommendations**

1. T H A T the Standards Committee notes the decision of Full Council on 26th February, 2020 to endorse the Standards Committee's recommendation that the Vale of Glamorgan Council's thresholds for registering gifts, material benefits or advantages and hospitality be amended to read as follows:
  - Gifts, material benefits or advantages - £50.00 or totalling £100.00 over a year from a single source;
  - Hospitality - £25.00 or totalling £100.00 over a year from a single source.
2. T H A T the Standards Committee note that all Town and Community Councils have been advised of the Standards Committee's recommendation and Full Council's endorsement of the amendment to the Policy.

## **Reasons for Recommendations**

1. To note Full Council's resolution to amend the Council's Policy having regard to the Committee on Standards in Public Life recommendation in their guidance entitled "Local Government Ethical Standards: A Review by the Committee on Standards in Public Life" dated January 2019 and the recommendation of the Standards Committee.
2. In order to ensure that Town and Community Councils are informed of the views of the Standards Committee and to raise the profile of standards in public life.

### **1. Background**

- 1.1 In line with Government legislation and guidance, the Vale of Glamorgan Council established the level that Councillors were required to register gifts and hospitality as a value of £50 for gifts and £25 for hospitality. This resolution being made on 23rd April, 2008 by Full Council in respect of Minute No. 1049.
- 1.2 Vale of Glamorgan Council Members, under paragraph 18.4.3 of the Council's Constitution which addresses registration of gifts and hospitality, must within 28 days of receiving any gifts, hospitality, material benefit or advantage above a value specified in a resolution of the Authority, provide written notification to the Authority's Monitoring Officer or in relation to a Community Council, to the Authority's Proper Officer of the existence and nature of that gift, hospitality, material benefit or advantage.
- 1.3 The Public Services Ombudsman for Wales' Guidance "The Code of Conduct for Members of Local Authorities in Wales" (August 2016 - Gifts and Hospitality) also advises at:

#### **Paragraph 9(b)**

"It is important that you do not accept any gifts or hospitality for yourself, or on behalf of others, which would place you under obligation or appear to do so. Accepting such gifts or hospitality could be regarded as compromising your

objectivity when you make decisions or carry out the work of your council. This is also true of any services or gifts in kind.

This does not prevent you from attending official events such as a civic reception or working lunch where these are authorised by your authority."

**Paragraph 17 -**

"You must register any gifts or hospitality worth more than the amount specified by your Authority that you receive in connection with your official duties as a Member and the source of the gift or hospitality.

You must register the gift or hospitality and its source within 28 days of receiving it. Like other interests in your Register of Interests, you may have a **personal interest** in a matter under consideration if it is likely to affect a person who gave you a gift or hospitality that is registered. If that is the case, you must declare the existence and nature of the gift or hospitality, the person who gave it to you, how the business under consideration relates to that person and then decide whether that interest is also a **prejudicial interest**. It is also good practice to provide a note of any offers of gifts which you have declined."

## **2. Key Issues for Consideration**

- 2.1** The Committee on Standards in Public Life in England, in their publication "The Local Government Ethical Standards: A Review by the Committee on Standards in Public Life" recommended at Recommendation (6) That Local Authorities be required to establish a Register of Gifts and Hospitality with Councillors required to record any gifts and hospitality received over a value of £50 or totalling £100 over a year from a single source.
- 2.2** Having regard to the above thresholds and having consulted with Monitoring Officers of other Local Authorities in Wales as to their current thresholds for registering gifts and hospitality, the Monitoring Officer / Head of Legal and Democratic Services' view is that the Vale Council's values of £50 for gifts and £25 for hospitality are appropriate but would recommend that the Council's Policy be amended to include the addition of the words "or totalling £100.00 over a year from a single source for both gifts and hospitality".
- 2.3** The Standards Committee at its meeting on 23rd January, 2020 recommended to Full Council that the Vale of Glamorgan Council's thresholds for registering gifts and hospitality be amended to read that the following values for the registration of any gift, hospitality, material benefit or advantage be:
  - Gifts - £50.00 or totalling £100.00 over a year from a single source;
  - Hospitality £25.00 or totalling £100.00 over a year from a single source.
- 2.4** Full Council, at its meeting on 26th February, 2020, adopted the proposal of the Standards Committee.
- 2.5** The Standards Committee also recommended the same to all Town and Community Councils within the Vale of Glamorgan in order that similar arrangements may be adopted within their Councils.

- 2.6** For the Committee's information, all Town and Community Councils have subsequently been advised of the Standards Committee's recommendation and the decision of Full Council for their consideration.

### **3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?**

- 3.1** One of the main roles of the Standards Committee is to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governors and Members of Community Councils within its area.

### **4. Resources and Legal Considerations**

#### **Financial**

- 4.1** None as a direct result of this report.

#### **Employment**

- 4.2** None as a direct result of this report.

#### **Legal (Including Equalities)**

- 4.3** None as a direct result of this report.

### **5. Background Papers**

Local Government Ethical Standards: Review by the Committee on Standards in Public Life undertaken by the Committee on Standards in Public Life January 2019

Vale of Glamorgan Council's current Constitution