



## STANDARDS COMMITTEE REPORT

<b>Report Title</b>	<b>Draft Gifts and Hospitality – Guidance for Councillors</b>
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**AGENDA STATUS: PUBLIC**

<b>Committee Meeting Date:</b>	17 July 2017
<b>Policy Document:</b>	No
<b>Directorate:</b>	Borough Secretary and Monitoring Officer

### 1. Purpose

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- 1.1 The purpose of the report is to present the draft Gifts and Hospitality – Guidance to the Committee for its consideration and approval.
- 1.2 As detailed on the Work Plan, the Standards Working Group (Work Plan) is scheduled to consider, at its July 2017 meeting, a draft Gifts and Hospitality - Guidance for Councillors and recommend the Guidance to the Standards Committee for approval.

### 2 Recommendation

- 2.1 To approve the draft Gifts and Hospitality – Guidance for Councillors document at Appendix 1.
- 2.2 To note that the financial limit above which Councillors must declare the receipt of gifts and hospitalities is £50 which is consistent with the provisions of the Code of Conduct.

### 3. Issues and Choices

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#### 3.1 Report Background and Issues

- 3.1.1 In order to strengthen the Governance process at the Council, a number of documents and processes, such as the Guidance on Gifts and Hospitality for Councillors, are being reviewed and refreshed as appropriate.

- 3.1.2 The Standards Working Group, at its meeting on 3 July 2017 considered the draft Gifts and Hospitality – Guidance for Councillors. The Working Group provided comment and suggestions on the draft Gifts and Hospitality – Guidance for Councillors and agreed that the draft at Appendix 1 would be presented to the Standards Committee at its meeting on 17 July 2017 for approval.
- 3.1.3 Northampton Borough Council’s Members’ Code of Conduct (the Code) sets out that Councillors have a personal interest in any business of the Council where it relates to, or is likely to affect the interests of any person from whom they have received a gift or hospitality with an estimated value of at least £50.
- 3.1.4 Councillors are required to register such gifts and hospitality by notifying the Monitoring Officer in writing by updating their Register of Gifts and Hospitalities Form. Failure to declare a personal interest is a breach of the Code of Conduct.
- 3.1.5 Although there is a financial limit for the declaration of gifts and hospitalities, the Guidance emphasises that regardless of the value, Councillors must first assess whether it is appropriate to accept the gift . The Guidance provides practical advice:

*“The following principles should also be applied:*

- *Never accept a gift or hospitality as an inducement or reward for anything you do as a Councillor*
- *Never accept a gift or hospitality if acceptance might be open to misinterpretation*
- *Never accept a gift or hospitality which puts you under improper obligation*
- *Never solicit a gift or hospitality”*

- 3.1.6 In accordance with the Work Plan of the Standards Committee, the Committee is scheduled to consider, at a later date, Northampton Borough Council’s Members’ Code of Conduct. Therefore at this point, more specific provision could be provided in the Code about gifts and hospitalities and the financial limit for declaring gifts and hospitalities could be considered by the Committee again.

## **3.2 Choices**

- 3.2.1 Members are asked to approve the draft Gifts and Hospitality – Guidance for Councillors at Appendix 1 of this report.
- 3.2.2 Currently the Register of Gifts and Hospitality by Councillors form states that this form relates to gifts/hospitalities in excess of £25. It is therefore suggested that this form is updated, as attached at Appendix 2, to relate to gifts/hospitalities in excess of £50, which would be consistent with the Code.

## **4. Implications (including financial implications)**

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### **4.1 Policy**

4.1.1 This report does not have any direct policy implications.

### **4.2 Resources and Risk**

4.2.1 This report does not have any direct resource implications.

### **4.3 Legal**

4.3.1 This guidance notes that individuals can be fined, imprisoned, or both for offenses under the Bribery Act 2010..

### **4.4 Equality**

4.4.1 There are no direct equality and diversity implications arising from this report.

### **4.5 Consultees (Internal and External)**

4.5.1 Not applicable.

### **4.6 Other Implications**

4.6.1 None.

## **5. Background Papers**

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5.1 Report and Appendix – Draft Gifts and Hospitality – Guidance for Councillors for the Standards Committee, Standards Working Group (Work Plan) – 3 July 2017.