

Committee: Standards and General Purposes Committee

Date: 09 November 2023

Subject: Gifts and Hospitality – Officers

Lead Member: Councillor Martin Whelton, Chair, Standard and General Purposes Committee

Lead officer: John Scarborough, MD of SLLP and Monitoring Officer

Contact officer: Fabiola Hickson, Head of Law, Procurement and Information Governance, SLLP

Recommendations:

- A. That Committee notes the report.
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1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report is the yearly update on the registration by officers of gifts and hospitality.
- 1.2 A copy of the register accompanies this report at Appendix 1.

2. DETAILS

2.1 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.

2.2 The inspection by the Monitoring Officer of the 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

Chief Executive's	3
Children Schools and Families	0
Community and Housing	0
Corporate Services	0
Environment & Regeneration	1
Innovation and Change	1
Finance & Digital	2

- The entries no longer include tennis tickets from the AELTC managed under the staff ballot. This is because the staff ballot is a centrally managed process and a record is kept of staff who have been successful so it was not considered necessary for individual staff to make declarations.
- There are 2 declarations on the register, one for Environment & Regeneration and the other for Finance & Digital with regards hospitality and match tickets to Wimbledon Tennis, which feeds into Merton's priorities to be the London Borough of Sport. The reason for accepting the hospitality and tickets was to understand the commercial opportunity for Merton's parks to create a potentially financially sustainable sports facility and improve access to sport for Merton's residents. As these fall outside the scope of the staff ballot, these were recorded as separate entries onto the register.
- It was agreed that the same approach would be taken to other offers which have Council wide application such as the offer of tickets to the AFC Wimbledon event to mark the passing of Her Majesty Queen Elizabeth II last year. There are two entries in the register for the Chief Executive's Department in relation to the tribute to the late Queen.
- There is one entry for each of the following Finance and Digital, Innovation and Change and the Chief Executive's Department in relation to a dinner to celebrate the sale of a company and celebrate the efforts of the in-house and external teams in achieving the successful sale.
- The declarations above are in accordance with requirements made up of entries where the gifts and hospitality accepted were for officers networking or representing the Council. The entries for the past year do not show that any low value gifts were received, from the public.
- The continuing low figures listed above and the nature of gifts and hospitality may be a result of a genuine decline in gifts and hospitality being offered or it may be due to officers failing to enter

these onto the register. In order to ensure that it is not the latter, managers should ensure that officers are aware of their responsibilities under the Code of Conduct for Employees to complete declarations and to give reasons, if gifts and hospitality are being recorded as having been accepted. Managers have been reminded of the need to ensure officers are aware that where the offeror is a contractor, prospective contractor or an applicant for planning permission extra care should be exercised in deciding whether to accept the gift or hospitality and the default position normally would be to decline the offer. Finally, it should be noted that 2 of the entries have failed to provide reasons for accepting the gift and managers should ensure that all officers are aware of the necessity for doing so.

- 2.3 With regards the entries that do appear, it is important that when completing the declaration for the register that reasons are given to ensure transparency. One of the entries for the dinner for the sale of the company has N/A as a reason. Whereas the other entries give a reason. It is also important to provide some context when describing the gift or hospitality being received. One of the entries for a number of tickets (circa 100) for the football match at AFC Wimbledon in December 2022 does not indicate who the tickets were for and in order to ensure propriety is maintained it might have been helpful to explain if the tickets were e.g. distributed to children of the borough.

3 ALTERNATIVE OPTIONS

- 3.1 Committee could decide not to have this information reported to it, though this would not be compatible with its role as the proactive promoter and monitor of ethical standards.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1 None save referred to within the report.

5 TIMETABLE

- 5.1 The next annual report will be presented to the Committee in November 2024.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1 None.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1 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

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 by 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. APPENDIX – THE FOLLOWING DOCUMENT FORMS PART OF THE REPORT

Appendix 1: Details of the Registers held by Directors for the period 01.11.22-30.09.23.

12. BACKGROUND PAPERS

None.