

WIRRAL COUNCIL

STANDARDS COMMITTEE –

31 MARCH 2009

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

DECLARATIONS OF GIFTS AND HOSPITALITY

1. Background

- 1.1. At the meeting of this committee on 30 September 2008 a member raised this item as a matter of any other business. The minute states:

The Chair agreed to consideration of this matter, having accepted the need for clarification. Councillor Blakeley referred to a potential conflict over the registering of gifts and hospitality, in that he had received differing advice as to with which authority they should be registered. He asked that the matter be clarified and also suggested that the Council might adopt the form currently in use within the Merseyside Passenger Transport Authority, which he felt would be helpful to all members. The Committee noted that it included a requirement to register offers of gifts and hospitality, i.e. even when they were not accepted. The Acting Head of Legal and Member Services reported that the issue had been discussed among Merseyside's District Secretaries and Monitoring Officers, who were considering the adoption of a standard protocol. It was also hoped that the Council's new Modern.gov computer system, once fully operational, would make the process of registering members' interests and gifts and hospitality easier.

Resolved - That the Committee receive a further report on the various issues relating to the registering of gifts and hospitality..

- 1.2 This report sets out the current position.

2.0 THE REQUIREMENTS OF THE CODE OF CONDUCT

The Code of Conduct requires that members register any gifts or hospitality which they receive from a third party where the value exceeds a nominal sum (£25). The Standards Board for England (SBE) has issued a factsheet on the declaration of gifts and hospitality. A copy of the factsheet is attached as appendix 1 to this report.

3. THE MODGOV SYSTEM

- 3.1 The ModGov system is being developed. A large proportion of members' registers of interests are now on the system and can be accessed by the public via the website. The remaining members are being assisted in this process. The next stage is to enable members to declare gifts and hospitality directly on to the system, which would then also be accessible to the public via the website. Work is currently being carried out to enable this.
- 3.2 The form which members will need to complete to register gifts or hospitality is attached as Appendix 2 to this report.

4. **JOINT AUTHORITIES**

- 4.1 Some confusion has arisen where members of the council are also members of other authorities e.g. the Passenger Transport Authority, the Fire and Rescue Authority or the Police Authority. I have had discussions with Monitoring Officers of other Merseyside Authorities. The consensus view was that where a member is offered gifts or hospitality through another authority that should be registered with the Council as well as the other authority. This view has been confirmed by the SBE.

5. **DECLINED OFFERS**

- 5.1 The SBE factsheet suggests that it would be best practice to register offers of gifts or hospitality which are declined. A recent review of the register of gifts and hospitality by the Council's Internal Audit Team also suggested that this should be done as best practice. Members will note that the form to be used for the ModGov system enables members to register gifts which are declined.

6. **Financial and Staffing Implications**

- 6.1 There are none arising from this report.

7. **Local Member Support**

There are no implications for individual wards arising directly from this report.

8. **Equal Opportunity Implications**

There are none arising directly from this report.

9. **Human Right Implications**

There are none arising directly from this report.

10. **Local Agenda 21 Implications**

There are none arising directly from this report.

11. **Community Safety Implications**

There are none arising directly from this report.

12. **Planning Implications**

There are none arising directly from this report.

13. **Background Papers**

There are no background papers which are not appended to this report.

14. **Recommendation**

- 14.1 The Committee notes the report;

- 14.2 The Committee requests that the Director of Law, HR and Asset Management writes to all members;
- (a) reminding them of the requirement to register gifts and hospitality;
 - (b) providing them with a copy of the Standards Board factsheet; and
 - (c) reminding them that it is best practice to register gifts or hospitality which is declined; and
- 14.3 That the Director of Law, HR and Asset Management issues reminders to all members on a quarterly basis regarding the requirements to register gifts and hospitality.

BILL NORMAN
DIRECTOR OF LAW, HR AND ASSET MANAGEMENT