

Non-Executive Report of the: Standards (Advisory) Committee 19 October 2017	 TOWER HAMLETS
Report of: Asmat Hussain, Corporate Director, Governance	Classification: Unrestricted
Members' Gifts & Hospitality	

Originating Officer(s)	Mark Norman, Beverley McKenzie
Wards affected	(All Wards);

Summary

This report provides information on the details of the guidance given to Members regarding the declaration of gifts or hospitality.

Recommendations:

The Standards (Advisory) Committee is recommended to:

1. Note the guidance provided to Members attached as Appendix 1.
2. Agree to receive regular updates on the declarations made by Members.

1. REASONS FOR THE DECISIONS

- 1.1 There is a statutory requirement for the Council to adopt a Code of Conduct for Members. For the purpose of the Code a Member includes the Mayor, elected Councillors and Co-opted Members of the authority.
- 1.2 The Council's Code of Conduct (paragraph 3.6) requires Members to register any gift or hospitality with an estimated value of at least £25 and the person from whom it is received.
- 1.3 The attached guidance for Members provides clarity and a mechanism to support Members in fulfilling their responsibilities under the Code of Conduct.

2. ALTERNATIVE OPTIONS

- 2.1 Members continue to register receipt of any gift or hospitality without providing further clarification.

3. DETAILS OF REPORT

3.1 It is a statutory requirement that the Council's Code of Conduct is consistent with the Nolan principles of good governance. The principles are:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

3.2 The Code of Conduct (paragraph 2.1) provides that Members are required to comply with these principles in their capacity as members.

3.3 Members should treat with extreme caution any offer or gift, favour or hospitality that is made to them and in order to ensure compliance with the Nolan principles (in particular accountability and openness). Members should register both gifts and hospitality received and any offers made but declined.

3.4 The Code of Conduct will be amended to specifically reflect this requirement and the attached guidance has been prepared for Members to clarify their responsibilities and ensure that they remain aware of the ongoing requirement.

3.5 In addition, to enhance transparency, the register of gifts & hospitality will be maintained separate to the declaration of interests register and will be available to view on the Council's website, with details under each individual Councillor.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 [Financial implications to be prepared by Directorate Finance Manager and agreed with Corporate Finance]

5. LEGAL COMMENTS

5.1 Section 27 of the Localism Act 2011 provides the Council must promote and maintain high standards of conduct by Members and adopt a Code of Conduct setting out the conduct that is expected of Members when acting in that capacity. Section 28 of the 2011 Act, provides that the Code of Conduct adopted by the Council must be consistent with the seven Nolan principles listed in section 3 above. The Advisory Committee work programme is included as an agenda item for discussion at this meeting. If the work programme is agreed a report on proposed revisions to the Code of Conduct for Members will be prepared for discussion of the next meeting of the Advisory Committee in January 2018. The report will include a

recommendation that the current Code should be amended to make it a specific requirement for Members to declare both gifts and hospitality received and any offers made but declined in accordance with the content of this report and the attached guidance.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The guidance on reporting the offer or receipt of any gift, favour or hospitality valued at £25 or greater will impact on all Members.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The guidance to Members will support the Members in ensuring that the required declarations are made.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 This report contains no specific issues environmental issues.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 The guidance to Members promotes the existing responsibility of the Members to report all gifts or hospitality. This will mitigate against the risk of non-declaration of gifts or hospitality offered.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no crime and disorder reduction implications in this report.

Linked Reports, Appendices and Background Documents

Linked Report

Appendices

- Appendix 1 – Members’ Gifts and Hospitality Guidance Note
- Appendix 2 – Report on Declarations of Gifts & Hospitality Received for the period 1 April 2017 to 5 Oct. 2017

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- These must be sent to Democratic Services with the report
- State NONE if none.

Officer contact details for documents:

- Beverley McKenzie – 0207 364 4872