
Meeting: Standards Committee

Date: 26 February 2010

Subject: Gifts and Hospitality Audit

Report of: Monitoring Officer

Summary: To advise members of the outcome of a Gifts and Hospitality Audit for Members' and Officers' declarations

Contact Officer: Mrs Barbara Morris, Assistant Director Legal & Democratic Monitoring Officer
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Public/Exempt: Public

Wards Affected: All

Function of: Non-executive

Reason for urgency (if appropriate) N/A

RECOMMENDATION:

That the Committee note the report and recommendations contained therein.

1. Members are asked to note that a Gifts and Hospitality Audit was undertaken by Internal Audit last year in respect of declarations by Members and Officers of gifts and hospitality received.
2. Attached at Appendix "A" is a summary of the reports findings for you to note. The recommendations picked up a number of issues with the declaration process particularly in respect of Officers' declarations. The recommendations are now being implemented.
3. Audit Committee will also see details of the Audit report and monitor compliance with the recommendations.

CORPORATE IMPLICATIONS:**Council Priorities:**

Contributes to all Council priorities to ensure good governance

Financial:

N/A

Legal:

To ensure high ethical conduct within the Council in accordance with the requirements of the Ethical Framework as set out in the Local Government Act 2000.

Risk Management:

N/A

Staffing (including Trade Unions):

N/A

Equalities / Human Rights:

None

Community Safety:

N/A

Sustainability:

N/A

Location of papers: Priory House, Chicksands

APPENDIX "A"

SUMMARY OF REPORT'S FINDINGS IN RESPECT OF GIFTS AND HOSPITALITY AUDIT

Ref.	Findings	Recommendations
A0218	The Members' register records gifts and hospitality received following the 4 June 2009 election. The register from April to June 2009 is not currently available.	The Assistant Director Legal and Democratic Services should ensure that the Members' gifts and hospitality register for April to June 2009 is located and secured. Priority: Medium
A0226	The Members' register of Financial and Other Interests was not available on the internet during the audit review, however the Councillors' declarations of gifts and hospitality are now available on the internet following the update of the website in November 2009. They were previously available on request.	The Assistant Director Legal and Democratic Services should ensure that Members' completed declarations of Financial and Other Interests are published on the internet. Priority: Low

Recommendations pertaining to both Members' and Officers' Register of Interests.

Ref.	Risk Associated with Finding	Recommendations
A0219	Appropriate details of declarations by Members' and Officers may be omitted.	<p>(i) The Council's guidance and procedures should be expanded to include the completion of a gifts and hospitality form for each declaration by Members. Priority: Low</p> <p>(ii) The Assistant Director Legal and Democratic Services should liaise with the Acting AD HR & OD to ensure that the Council's guidance and procedures are expanded to include the completion of a gifts and hospitality form for each declaration by Officers. Priority: Low</p>

Ref.	Risk Associated with Finding	Recommendations
A0225	The Members' and Officers' registers may not be available for inspection resulting in reputational damage to the Council.	<p>(i) An electronic version of entries in the Members' register should be maintained to ensure that there is adequate maintenance and security of the register content.</p> <p>Priority: High</p> <p>(ii) The Assistant Director Legal and Democratic Services should liaise with the Acting AD HR & OD to ensure that an electronic version of entries in the Officers' register is maintained and that this is noted in the guidance.</p> <p>Priority: High</p>

Recommendations pertaining to the Officers' Register of Gifts and Hospitality

Ref.	Risk Associated with Finding	Recommendations
A0217	<p>Unclear guidance could lead to some gifts and hospitality not being declared by Officers appropriately, and the procedures would not adequately support any disciplinary processes.</p> <p>Officers could accept inappropriate hospitality or gifts, resulting in reputational damage to the Authority and allegations of undue influence.</p>	<p>The Assistant Director Legal and Democratic Services should liaise with the Acting AD HR & OD to ensure that:</p> <ul style="list-style-type: none"> • amendments in the Code of Conduct for Officers are reflected in the CBC Conditions of Service and that they are clarified to explain whether offers can be accepted and which Senior Management should approve acceptance • a register of gifts and hospitality for officers is maintained by each Director for their service area • officers are reminded of the existing guidance on registering gifts and hospitality • officers are made aware of the requirement for gifts and hospitality to be approved by the appropriate officer prior to acceptance • guidance on receiving promotional materials and gifts in the post is included in the Council's policies. <p>Priority: High</p>

Ref.	Risk Associated with Finding	Recommendations
A0243	Declarations of hospitality and gifts received may not be recorded appropriately, potentially leading to a lack of declarations and management being unaware of undue influence on officers.	See Finding A0217
A0220	Officers may not be aware of guidance for declaring gifts and hospitality, potentially resulting in gifts and hospitality not being declared and therefore the register being incomplete.	See Finding A0217
A0221	There may be inadequate scrutiny of offers of gifts or hospitality by the Designated Officers leading to a lack of awareness of potential influence.	See Finding A0217
A0222	Promotional material may be received and not declared and may unduly influence an officer, and Designated Officers may be unaware of this potential influence.	See Finding A0217
A0227	Gifts received in the post may not be declared which may result in the register being incomplete and a risk of undue influence on Council Officers.	See Finding A0217