

West Midlands Fire and Rescue Authority

Standards Committee

7th September 2007

1. PROTOCOL FOR MEMBERS ON GIFTS AND HOSPITALITY

Report of the Monitoring Officer

RECOMMENDED

- (1) That Standards Committee consider and comment upon the proposed revised Protocol for Members on Gifts and Hospitality.
- (2) That the Authority adopt the revised Protocol for Members on Gifts and Hospitality as proposed by the Standards Committee.

2. PURPOSE OF REPORT

- 2.1 The current Protocol for Members on Gifts and Hospitality needs to be reviewed to take into account the new Model Code of Conduct for Members and associated guidance.

3. BACKGROUND

- 3.1 The current Protocol for Members on Gifts and Hospitality was adopted in 2002 and is attached as Appendix 1.
- 3.2 It has become necessary to revise and update this Protocol following the adoption of the new Code of Conduct for Members and the guidance to Members from the Standards Board for England.
- 3.3 A draft of the revised Protocol is attached at Appendix 2 for Members to consider and comment upon. The draft has been adapted from guidance produced by the Association of Council Secretaries and Solicitors. As well as incorporating changes necessary as a consequence of the revised Code of Conduct the

revised Protocol also provides more guidance on when gifts and hospitality may be acceptable or inappropriate. Any comments made by the Standards Committee will be considered prior to adoption of a revised Protocol by the Authority.

4. EQUALITY IMPACT ASSESSMENT

The report does not raise issues which require a full Equality Impact Assessment to be completed.

5. LEGAL IMPLICATIONS

- 5.1 The law on the acceptance of gifts and hospitality is set out in the Authority's Code of Conduct for Members and in the Prevention of Corruption Acts.
- 5.2 Acceptance of a gift or hospitality in breach of the Code, or failure to declare receipt of such a gift or hospitality, can lead to sanctions, including disqualification from holding any public office for a period of up to five years. Corrupt acceptance of a gift or hospitality can lead to a heavy fine or imprisonment.
- 5.3 Whilst gifts and hospitality have become registrable and disclosable interests in the revised Code, it is considered that it would still be useful to have a Protocol which sets out the law and good practice and provides further guidance for Members.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no significant financial implications arising from the adoption of a revised Protocol or from its implementation.

Background Papers

None

N SHARMA
MONITORING OFFICER