

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

Standards Committee

14th December 2009

**1. REVIEW OF REGISTER OF GIFTS AND HOSPITALITY IN
RELATION TO MEMBERS**

Report of the Monitoring Officer.

RECOMMENDED

THAT entries on the Register of Gifts and Hospitality received by Members and Co-opted Members of the Authority in the last 12 months be considered.

That the Monitoring Officer provide an annual report to the Standards Committee on the gifts and hospitality declared by members.

2. PURPOSE OF REPORT

- 2.1 The purpose of the report is to present to the Standards Committee the information from the Register of Gifts and Hospitality received by Members including Co-opted Members in the last 12 months.

3. BACKGROUND

- 3.1 The Monitoring Officer has a statutory duty to maintain a public register of councillors' and co-opted members' interests and also a record of any gift or hospitality received with an estimated value of at least £25.00.
- 3.2 As a public register the Authority must ensure that this record is available for inspection by the public at all reasonable hours. Currently the Register of Gifts and Hospitality is kept in paper form.

- 3.3 The definition of personal interest which must be declared under the Code of Conduct includes:-

“the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25.00”

- 3.4 A new provision was introduced under the revised Code of Conduct, adopted by the Authority in September 2007, which requires members to disclose their interests at Authority meetings where the business under consideration relates to, or is likely to affect, the donor of any gift or hospitality to the member of £25.00 or more. This requirement continues for 3 years from the date of registration of the gift or hospitality. After 3 years the obligation to disclose the interest ends. The entry must however remain on the register for 6 years from the date of registration.
- 3.5 Members should register the interest as soon as possible after acceptance of the gift or hospitality and in any event, no later than 28 days after acceptance. Failure to register within the 28 day period is a breach of the Code of Conduct. The registration should include the source and nature of the gift or hospitality. Members are not required under the code to register any gifts or hospitality with the value of less than £25.00, nor are they required to register any gifts or hospitality that they do not accept.
- 3.6 There are 3 recorded entries for the last 12 months made by the former Chairman of the Authority (Appendix 1). Given the nature of his role such entries may be considered not surprising.

4. **EQUALITY IMPACT ASSESSMENT**

- 4.1 In preparing this report an initial Equality Impact Assessment is not required and has not been carried out.

5. **LEGAL IMPLICATIONS**

- 5.1 Paragraph 8(1)(a)(viii) of the Members Code of Conduct describes the interests of any person from whom a member has received a gift or hospitality with an estimated value of at least £25.00 as a personal interest.

- 5.2 The provisions of the Local Government Act 2000 impose a statutory duty on the Monitoring Officer of each relevant authority to establish and maintain a register of interests of the members and co-opted members of the authority, and to record any gift or hospitality received by a member with an estimated value of over £25.00.
- 5.3 The Standards Board for England has also issued guidance in relation to gifts and hospitality .

6. **FINANCIAL IMPLICATIONS**

- 6.1 There are no financial implications arising directly from the recommendation.

N SHARMA
MONITORING OFFICER