
**REPORT OF THE DIRECTOR OF GOVERNANCE AND LEGAL
SERVICES AND MONITORING OFFICER**

REGISTRATION OF GIFTS AND HOSPITALITY RECEIVED BY MEMBERS

Reason for this Report

1. To enable the Committee to:
 - (i) consider the gifts and hospitality received by Members, which have been registered in accordance with rules set under the Members' Code of Conduct; and to make any appropriate comments or recommendations in this regard; and
 - (ii) consider the suggestion that Welsh authorities should voluntarily harmonise their thresholds for registration in the interests of consistency across Wales and provide its views in this regard.

Background

2. The Standards and Ethics Committee's terms of reference include the following:
 - a) To monitor and scrutinise the ethical standards of the Authority, its Members, employees and any associated providers of the Authority's services.
 - b) To report to the Council on any matters of concern. To advise the Council on the content of its Ethical Code and to update the Code as appropriate.
 - c) To advise the Council on the effective implementation of the Code including such matters as the training of Members and employees on the Code's application.
3. The Members' Code of Conduct (paragraph 17), requires Members to register the receipt of any gifts, hospitality or other benefits where the value of the item or benefits exceeds a threshold determined by the Council from time to time.
4. The Council's threshold for registration of gifts and hospitality received by Members has been set, on the recommendations of this Committee (in October 2007), at £25 (in line with the threshold then applied to all local authorities in England by the Standards Board for England). The Committee last discussed Cardiff's threshold in December 2020 and agreed that the £25 threshold remained appropriate.

5. The Committee has requested regular reports on the registration of gifts and hospitality received by Members. At its meeting on 9th February 2022, the Committee considered gifts and hospitality registered during the period from 1st November 2020 to 31st December 2021.

Issues

6. The Register of Members' Gifts and Hospitality held by the Democratic Services on behalf of the Monitoring Officer shows the registrations during the period from 1st January 2022 to 31st December 2022 set out in **Appendix A**.
7. In accordance with the Committee's request, Civic Hospitality is shown separately; and the location of the hospitality and approximate value are included in the Register.
8. It will be noted that a number of register entries record the approximate value of the gift / hospitality as 'unknown', and several of these relate to tickets to public events where ticket prices will be available on websites. The Committee may wish to consider whether the Council's Guidance on Hospitality, Gifts and Other Benefits Received by Members ('the Guidance', attached as **Appendix B**) and or the Member Registration Form (Receipt of Hospitality, Gifts and Other Benefits), **Appendix B1**, should be amended to reiterate the importance of including an estimated value for all registrations made. The Committee may also wish to include this point in the next Member Briefing.

Threshold for Registration

9. The Independent Review of the Ethical Standards Framework in Wales, October 2021 - Framework (gov.wales), 'the Independent Review Report', noted that the Members' Code of Conduct does not specify a threshold for Members' declarations of gifts and hospitality, and that the threshold set by individual authorities across Wales varies from £21 to £100 (Independent Review Report paragraph 4.2.4). The Report recommended that the Code should be amended to specify a threshold in order to ensure consistency across Wales (Independent Review Report, paragraph 5.5.3).
10. The Welsh Government's written statement issued in October 2021 in response to the Independent Review Report (the Penn Review) stated that the Minister would 'be considering the recommendations to amend the Model Code of Conduct in the short term. Any legislative change will be subject to a technical consultation.' We understand that the Welsh Government will shortly publish a consultation paper on their response to the Penn review, and that this is unlikely to include proposed changes to legislation.
11. A suggestion has been put forward by the Standards Committee of another Welsh authority that Welsh authorities should consider voluntarily aligning their thresholds for consistency and thereby prefiguring, and rendering unnecessary, any legislative change by Welsh Government. Informal enquiries made through the Monitoring Officers in Wales Group have indicated that the proposed harmonization of thresholds is broadly supported, in principle, by other Welsh authorities, provided a specific threshold value is agreed by all.

12. Monitoring Officers have been asked to seek the views of their Standards Committees on whether they agree a standard threshold value should be voluntarily agreed by all Welsh authorities, and if so, what the threshold should be. The Monitoring Officers' Group will then consider whether there is a consensus on a standard threshold, which may be agreed, subject to formal approval by each Council.
13. In considering this matter, the Committee may wish to have regard to the information informally compiled about the thresholds currently adopted by other Welsh authorities, which is set out in **Appendix C**.
14. The Committee will note that the most common threshold value adopted by authorities across Wales is, like Cardiff, £25. Some authorities have lower limits, including a few authorities which require *all* gifts and hospitality to be registered, irrespective of value, and one authority has a higher limit for gifts only.
15. Members are invited to provide any relevant views and observations.

Legal Implications

16. The Members' Code of Conduct, paragraph 17 states that:

'You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a value specified in a resolution of your authority, provide written notification to your authority's monitoring officer, or in relation to a community council, your authority's proper officer of the existence and nature of that gift, hospitality, material benefit or advantage.'

17. As noted in paragraph 9 of the report, the Independent Review of the Ethical Standards Framework in Wales has recommended that the Model Code should be amended to specify a threshold in order to ensure consistency across Wales. This would require an amendment to be made to the Local Authorities (Model Code of Conduct)(Wales) Order 2008. No such legislation has been introduced to date, but it is possible that the Welsh Government may choose to legislate on this at some point in the future.
18. The current threshold, set by the Council in October 2007 on the recommendations of the Standards and Ethics Committee, is £25. This is reflected in the Council's Guidance on Hospitality, Gifts and Other Benefits received by Members (**Appendix B**).
19. The Guidance states that *'The threshold value will be reviewed by the Council as necessary and appropriate, in consultation with the Standards and Ethics Committee'* (paragraph 16).
20. Any proposed change to the threshold value for the registration of gifts and hospitality will require the approval of Council.

Financial Implications

21. There are no direct financial implications arising from this report. The appropriate consideration by Members of gifts and hospitality offered before acceptance, followed by clear recording and review arrangements, supports the principles of good governance.

RECOMMENDATION

The Committee is recommended to:

- (1) note the information supplied at **Appendix A** on the registration of hospitality, gifts and other benefits received by Members during the period from 1st January 2022 to 31st December 2022, and make any comments considered appropriate;
- (2) consider whether any amendments should be made to the Guidance on Hospitality, Gifts and Other Benefits Received by Members (**Appendix B**) and or the Member Registration Form (**Appendix B1**) to reiterate the importance of registering the approximate value of gifts / hospitality received; and if so, to authorise the Monitoring Officer to make the appropriate amendments and communicate these changes to Members; and
- (3) provide its agreed view on the suggestion that Welsh authorities should voluntarily agree to adopt a standard threshold, and if applicable, what the standard threshold should be; and ask the Monitoring Officer to report the Committee's views to the Monitoring Officers in Wales Group and report back to Committee on this matter, as appropriate, in due course.

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Director of Governance & Legal Services and Monitoring Officer

3 February 2023

APPENDICES

Appendix A	Extract from the Register of Member's Hospitality, Gifts & Other Benefits for the period 1 st January 2022 to 31 st December 2022
Appendix B	Guidance on Hospitality, Gifts and Other Benefits Received by Members (with Members Registration Form)
Appendix B1	Member Registration Form (Receipt of Hospitality, Gifts and Other Benefits)
Appendix C	Members' Gifts and Hospitality Registration Thresholds in Other Welsh Authorities

Background papers

[Report to Standards & Ethics Committee, 'Registration of Gifts and Hospitality Received by Members, 9th February 2022 and minutes thereof](#)

[Independent Review of the Ethical Standards Framework in Wales \('the Independent Review Report', also referred to as 'the Penn report'\), October 2021](#)

[Council report, 'Registration of Gifts and Hospitality', 18 October 2007 and minutes thereof](#)