

Report to: Standards Committee



Date of Meeting 10 April 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release n/a

Members Gift and Hospitality Protocol

Report summary:

The only guidance available to Members on the declaring of Gifts and Hospitality is included in the Member Code of Conduct. This guidance is limited in its application and therefore the opportunity has been taken to write a separate Protocol, to form part of the Constitution, which gives more detailed guidance to Members on the appropriateness of accepting gifts and hospitality and the factors they should take into account when making a decision. Appendix A includes a draft Protocol for the Committee's consideration.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That the Committee consider the attached Gifts and Hospitality Protocol at Appendix A and recommend any changes to the Constitutional Working Group before the Protocol is submitted to Full Council for approval at the Annual meeting in May 2025.

Reason for recommendation:

It is important that Members have clear and detailed guidance on the acceptance of gifts and hospitality. The Protocol at Appendix A will ensure that guidance is available and forms part of the Constitution.

Officer: Melanie Wellman, Director of Governance and Monitoring Officer, email melanie.wellman@eastdevon.gov.uk

Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☒ Council and Corporate Co-ordination
- ☒ Communications and Democracy
- ☐ Economy
- ☐ Finance and Assets
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

Climate change Low Impact

Risk: Medium Risk; The proposals in this report will ensure that Members have clear and detailed guidance on the acceptance of gifts and hospitality. This will reduce the risk of gifts and hospitality being accepted where not appropriate and will therefore reduce the potential for reputational risk to this Council.

Links to background information None

Link to [Council Plan](#)

Priorities (check which apply)

- ☐ A supported and engaged community
- ☐ Carbon neutrality and ecological recovery
- ☐ Resilient economy that supports local business
- ☒ Financially secure and improving quality of services

Report in full

1. At present the main guidance on the acceptance of Gifts and Hospitality by members is included in the adopted Member Code of Conduct.
2. As well as having the Code of Conduct, many authorities have separate guidance for members which goes into more detail on the matters that members should consider when offered gifts and/or hospitality.
3. In the circumstances, the opportunity has been taken to prepare a draft Protocol which will provide more detailed guidance to members in these circumstances. The guidance covers the following areas:-
 - a. The scope of the Protocol i.e. its application to all councillors of East Devon District Council including co-opted members.
 - b. The fact that it does not apply to gifts from friends and family, including a definition of gifts and hospitality.
 - c. The types of gifts and hospitality that need to be declared
 - d. Sets out what constitutes acceptable and prohibited gifts and hospitality
 - e. The general considerations that Members should have regard to when deciding whether or not to accept gifts or hospitality
 - f. The wording that can be used to respectfully decline gifts or hospitality
 - g. The procedure for declaring gifts and hospitality
 - h. Guidance as to whether gifts and hospitality below the £50 threshold should be declared in any event
 - i. Reminds members that this Committee will oversee the Gifts and Hospitality register every six months
 - j. That the Protocol will be reviewed every five years
4. The Constitutional Working Group (the "CWG") was set up by Full Council to oversee a review of the Council's constitution. The proposal is that this Protocol will to be added to the Council's Constitution. The CWG have already considered the draft Protocol and requested changes which have been duly incorporated.
5. As the Protocol is directly related to Member behaviour and gifts and hospitality is overseen by this Committee, it was felt appropriate to also seek the views of this Committee before the Protocol goes back to the CWG and then to Full Council for adoption in May 2025. The Committee are invited to consider the draft Protocol attached at Appendix A and recommend its adoption to the CWG and Full Council with or without amendments. Full training will be provided to members on the Protocol in the summer of 2025.

Financial implications:

There are no financial implications to be added to this report.

Legal implications:

There are no substantive legal issues to be added to this report.