

# Registration of gifts and hospitality

## Guidance for Members



There are several different circumstances in which Members of Leeds City Council may receive gifts or hospitality. These circumstances may affect whether they need to be registered in the Members' Register of Interests.

This briefing note answers several frequently asked questions which should assist Members in deciding whether to accept a gift or hospitality, and whether it should be registered.

### **What is hospitality?**

Hospitality can be defined as any food, drink, accommodation or entertainment freely provided or heavily discounted.

### **What types of gifts or hospitality do I need to register?**

All gifts and hospitality **which you receive in your capacity as a Member** which are worth £25 or more must be registered in the Members' register of interests. The £25 limit is set by the national Members Code of Conduct.

A form is attached to this briefing note which you can complete and return in order to register any gifts or hospitality you receive. Additional copies of this form are available from your Group Support Manager.

### **Does this include birthday and Christmas presents from friends and family?**

You only have to declare those gifts or hospitality received in your capacity as a Member. You must apply common sense when you consider how receipt of a gift might be interpreted. For example, if you are a member of a planning committee and you receive a birthday present from an applicant just before a planning application is due to be considered, then you would need to think about how this would be interpreted by a reasonable member of the public.

You should register gifts and hospitality if they could reasonably be viewed as relating to your official duties.

### **What if the hospitality is provided by the Council itself?**

Standards for England advise that Members do not have to register their receipt of gifts and hospitality if they are provided by the Council and are ancillary to the business being conducted, for example, an overnight stay at an away day or a meal provided during a training session or civic reception.

### **How do I work out the value of a gift or hospitality?**

When assessing whether the gift or hospitality is worth £25 or more, a degree of common sense needs to be applied. Where a series of small gifts come from the same source over a short period of time and the cumulative value of the gifts is over £25, they ought to be registered.

The best way to preserve transparency when assessing the value of any **hospitality** provided, is to assess the hospitality on offer, whether you accept it or not. This is because it would clearly not be in your interests to be drawn into arguments about how much you personally ate or drank at a particular occasion. For example, you may find yourself at a function where relatively lavish hospitality is on offer but you choose not to accept it. You may go to a champagne reception but only drink a glass of orange juice. As a guide you should consider how much a person could reasonably expect to pay for an equivalent function or event run on a commercial basis. Clearly where you are in any doubt the prudent course is to register the hospitality.

### **What if I don't accept the gift or hospitality?**

You only need to register gifts and hospitality which are **accepted**, and do not have to register gifts which are refused and returned to the donor. However if you receive a gift which you do not return to the donor, but pass on to another person to use, e.g. the Lord Mayor's appeal or one of your constituents, this should also be registered as it has technically been accepted by you.

### **I have been appointed to the Leeds Grand Theatre Board by the Council. What do I do about free tickets or hospitality provided by Leeds Grand Theatre?**

Standards for England have advised that gifts provided by outside bodies cannot be considered as having been provided by the Council, even when provided by a wholly owned company of the Council. Wholly owned companies are separate bodies from the authority, therefore any gifts or hospitality a Member receives from them, worth £25 or more, must be registered. For example, tickets provided by the Leeds Grand Theatre to the Councillors on the Board must be registered.

Similarly, if Members are admitted to performances free of charge without a physical ticket because of their position on the Board, this would count as hospitality and would also need to be registered.

### **What about free tickets or hospitality provided to me as part of the exercise of my duties, so that I can have first hand experience of matters within my remit?**

The gift or hospitality should be registered if it is provided by a person or body other than the authority, and is over and above what could reasonably be viewed as ancillary to the business conducted. For example, Members may meet dignitaries or business contacts in Council offices, but if the meeting take place at cultural or sporting events, this should be registered as hospitality.

Standards for England have confirmed that tickets or hospitality provided to Members during the course of their duties, for example, Members appointed to the West Yorkshire Playhouse Board who receive free tickets to regular shows at the Playhouse, should register these tickets as gifts.

### **I have received a free ticket to an event in the city from a Council officer. However the Council is not the event organiser. Do I need to register this if it is from the Council?**

In these cases you should consider on what basis the event organisers provided the tickets to the authority.

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Standards for England have confirmed that tickets given to the Council in order to distribute to Members must still be registered, as the tickets are still a gift from the donor to Members. The involvement of officers is simply an administrative step and cannot be used to avoid registering any gifts Members receive.

The Member should register the original donor or event organiser as the provider of the tickets, as oppose to the Council department or individual officer who passed the gift on.

### **I am aware that some of my colleagues have been provided with free tickets for an event I wish to attend. Can I ask the donor for a free ticket for myself?**

The Code of Conduct does not specifically cover this issue, although in seeking to secure a free ticket you may have breached paragraph 6(a) of the Code of Conduct which states that you must not use, or attempt to use, your position as a Councillor to secure for yourself, or any other person, an advantage or disadvantage.

You must never solicit or invite an offer of a gift or hospitality in connection with your position as a Member. You should also take care to avoid giving any indication that you might be open to such an offer.

### **Should I accept a gift or hospitality if I suspect the donor may expect some favouritism in return?**

You should be aware that the Prevention of Corruption Acts 1889 to 1916 provide that if you accept any gift, loan, fee, reward or advantage whatsoever as an inducement or reward for doing or forbearing to do anything, in respect of any matter or transaction in which the authority is concerned, you commit a criminal offence carrying a maximum term of imprisonment of seven years.

If you suspect that the offer of a gift or hospitality is conditional in some way you should refuse the offer and report the matter to the Monitoring Officer.

## **Contact details**

Amy Kelly  
Senior Corporate Governance Officer  
Telephone 0113 39 50261

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Declaration of receipt of gifts and hospitality

You must complete all the following details and return the form to the address below within 28 days of receiving the gift or hospitality in order to comply with the Members' Code of Conduct 2007. This information will then be added to the Members' Register of Interests published on the Council's website.

For more guidance on the rules surrounding registering gifts and hospitality, please refer to the 'Members' Register of Interests – Guidance Notes', available in your group office or to download on the intranet by following this path: interest areas – former departments – Chief Executive's Department - Council and Democracy – Councillors, agendas and minutes – Councillors' Code of Conduct – Guidance on the Members' Register of Interests.

<p><b>Who donated the gift/hospitality?</b></p> <p>Please note that you are not required to register gifts or hospitality provided by Leeds City Council.</p>	
<p><b>In what capacity did you receive the gift/hospitality (e.g. as part of Executive Member role or as a member of the Board of Leeds Grand Theatre)?</b></p>	
<p><b>If you passed the gift on to another person/body (e.g. the Lord Mayor's charity), please indicate here.</b></p>	
<p><b>What date did you receive the gift/hospitality?</b></p>	
<p><b>Please provide a brief description of the gift/hospitality.</b></p>	
<p><b>What is the estimated market value of the gift/hospitality?</b></p> <p>Please note that if you are registering a heavily discounted item, the value will be the difference between the normal market cost and the amount you paid. Also please note that you are only required to register gifts or hospitality worth £25 or more.</p>	

Name of Member:.....

Date:.....

Please return your completed form to:  
Laura Ford, Corporate Governance Officer, Governance Services, 1<sup>st</sup> Floor West, Civic Hall