

CYNGOR SIR CEREDIGION COUNTY COUNCIL

Report to: Ethics and Standards Committee

Date of meeting: 15 November 2023

Title: Harmonisation of gifts/hospitality thresholds across all Welsh Authorities

Purpose of the report: • to inform Committee of arrangements amongst Welsh Authorities

Background

Members will recall considering this matter at its meeting on 23/1/23.

Code of Conduct

The Code of Conduct permits each Council to set a value above which councillors must declare that they have been offered gifts/hospitality (irrespective of whether it is accepted or refused).

The Ceredigion County Council Code of Conduct for Members is shown here:

[SI Template \(ceredigion.gov.uk\)](http://ceredigion.gov.uk)

The Ceredigion County Council limit has been £21 since 2008, as shown in the extract below:

Code of Conduct 2016:

“Ceredigion County Council resolved on 17 April 2008 to specify a value of £21.”

Threshold review

Some years ago an exercise was undertaken to compare the different thresholds amongst Welsh Councils (although not all authorities responded).

The results are shown below:

Value (£)	Total	Councils
50	2	Neath & Port Talbot, Vale of Glamorgan
25	12	Caerphilly, Camarthenshire, Conwy, Denbighshire, MAWW FRA, Monmouthshire, Pembrokeshire, Rhondda Cynon Taff, SWFRA, Swansea, Torfaen, Wrexham
21	1	Ceredigion
20	2	Anglesey, Bridgend
10	3	Blaenau Gwent, Flintshire, Gwynedd
0	1	Merthyr

Blaenau Gwent-now £20

Review of the Ethical standards framework in Wales

Members will recall that the Independent Review of the Ethical standards framework in Wales report by Richard Penn (2021) stated:

“The Code does not specify any threshold for declarations of any gift, hospitality, material benefit or advantage. The threshold should be specified in the Code to ensure consistency across Wales.”

<https://gov.wales/sites/default/files/publications/2021-10/independent-review-of-the-ethical-standards-framework-in-wales.pdf>

Further review of threshold level

Consideration has been given amongst Monitoring Officers in Wales to seek Standards Committees views on whether it is appropriate to voluntarily align thresholds thereby prefiguring, and rendering unnecessary, any legislative change by Welsh Government.

The most common value was then and remains £25.

By making such a change voluntarily authorities may be able to demonstrate that authorities are adopting the recommendations within the Penn review where possible and taking ownership of the issues. This change would remove the “post code lottery” of differences between individual councils which make for inconsistency.

The disadvantages might be :

- 1) Loss of local choice
- 2) The risk that we make a change only for WG to legislate anyway thereby requiring another change

Many authorities have shown an interest in a unified approach.

The views of Standards Committee is being sought as to whether there is any support for such a move, and what the common value should be.

As the Ceredigion County Council level (£21) is currently less than the common denominator (£25), the views of the Committee is sought once again as to the merits of increasing the Ceredigion County Council threshold from £21 to £25.

Committee considered this matter and decided at its meeting on **25 January 23**:

- 1) whether to support the principle that the gift/hospitality threshold should be consistent amongst all Welsh authorities **AGAINST**
- 2) whether to support an in-principle increase of the Ceredigion County Council threshold from £21 to £25. **AGAINST**
- 3) whether to support a potential alternative in-principle change of the Ceredigion County Council threshold of £21 -upwards or downwards **AGAINST**

4) whether all offers of gifts/hospitality should be declared even if refused and regardless of the threshold level **AGAINST**

Following discussion, it was also AGREED that:

Whilst consistency agreed in principle, local variation was acceptable.

The Committee discussed whether any gifts should be accepted by Members as well as the cumulative impact of gifts which individually fall below the threshold. The threshold for acceptance of gifts by Council Members and Officers should be in-line with each other.

It was agreed that further consideration would be given to this proposal by the Committee and would also be placed on the Forward Work Programme for consideration. Also potentially by the Democratic Services Committee as necessary. Changes to the Code could only be made by Council.

National Standards Committee Forum

At the extract from the National Standards Committee Forum minutes 30 June 2023:

9. Minimum value for gifts and hospitality

- £25 was the minimum value for most councils.
- Monitoring Officers were seeking to introduce it as a consistent amount across Wales.
- It could be difficult to place a value on hospitality e.g., invitations to sporting events.

At the All Wales Monitoring Officers Group meeting on 13/9/23, it became apparent that most Authorities either had increased the level to £25 or were in process of doing so.

Current position

Committee is asked to

- 1) Note developments since considering this matter at its meeting on 23/1/23,

2) consider reviewing its decision 23/1/23 not to increase the gift/hospitality threshold for Ceredigion County Council Members from £21 to £25.

In the event that a change is now supported, Council will be asked to approve a change to the Code of Conduct for Members accordingly.

Wellbeing of Future Generations:

Has an Integrated Impact Assessment been completed? If, not, please state why.

No

Summary of Integrated Impact Assessment:

Long term: N/A
Collaboration: N/A
Involvement: N/A
Prevention: N/A
Integration: N/A

Recommendation(s):That Committee:

2) Notes developments since considering this matter at its meeting on 23/1/23

2) consider reviewing its decision 23/1/23 not to increase the gift/hospitality threshold for Ceredigion County Council Members from £21 to £25.

Reasons:to align with the majority of other Welsh Local Authorities

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Date of Report: 18/10/23

Acronyms: