



Newick Parish Council Procedure for recording and monitoring Members' Interests and Gifts and Hospitality Received

Background

In accordance with the Localism Act 2011, elected and co-opted members of Newick Parish Council are required to comply with the Council's Code of Conduct.

Code of Conduct

The Code of Conduct requires members to register with the Monitoring Officer any disclosable pecuniary or personal interests listed in appendices A and B within twenty eight days of taking office. The completed registration forms are published on the Lewes District Council website and can be viewed via a link from Newick Parish Council's website www.newick.net.

Register of Interests

It is the individual member's responsibility to advise the Monitoring Officer of any amendments or updates to be made to their register of interests form and this must be done within 28 days of the member becoming aware of the change or new interest. However, the Clerk will also remind members at each Annual Meeting of the Parish Council that they must review their entries in the register of interests and update them where necessary.

Declaration of Interests at a meeting

The agenda for every Parish Council meeting (including committee meetings) will include the opportunity for members to declare a personal interest in matters on the agenda that have not already been disclosed in the Register of Interests. Any interests declared in this way will be recorded in the minutes of the meeting.

Withdrawal from a meeting

Where a member of the Parish Council has disclosed (either in the Register of Interests or verbally at the meeting) a pecuniary interest in an item on the agenda, the Council's Standing Orders require that the member must withdraw from the meeting when it is considering the matter in which he or she has a disclosable pecuniary interest, unless he or she has been granted a dispensation. Where a member withdraws from a meeting because they have an interest in the item being considered this will be recorded in the minutes of the meeting.

Gifts and Hospitality Received

Section 2 of the Register of Members' Interests Form requires a member to record the name of any person from whom they have received (in their capacity as member/co-opted member of the Council) a gift or hospitality with an estimated value of at least £50.

LEGAL CONTEXT

Bribery undermines democracy and the rule of law. Routine local council activities and decision making may expose councils to the risk of bribery offences being committed. It is a criminal offence to corruptly solicit or receive any gift, reward or advantage as an inducement to doing, or forbearing to do anything, in respect of any transaction involving your parish council (Bribery Act 2010).

The onus would be on the Parish Councillor to disprove corruption in relation to a gift from a person holding or seeking to obtain a contract from your parish council. It is a criminal offence for a person corruptly to give or offer any gift, reward or advantage as an inducement or reward to you for doing or forbearing to do anything as a member of your parish

In deciding whether it is appropriate to accept any gift or hospitality councillors must apply the following guidelines and principles;

1. Not to accept a gift or hospitality as an inducement or reward for anything you do as a parish council member. If you have any suspicion that the motive behind the gift or hospitality is an inducement or reward you must decline it. "Reward" includes remuneration, reimbursement and fee.
2. The value of the gift or hospitality
 - Is it significant or excessive value in the circumstances?
 - Has there been a series of gifts or hospitality from the same source accumulating to more than £50.00?
3. Who the gift or hospitality is coming from;
 - Is the gift from a party involved with the parish council in a competitive tendering or other procurement process?
 - Is the gift from an applicant for planning permission or other applications for licences, consents and approvals in which your parish council has an involvement?
 - Is the gift from a voluntary body or other organisation applying for public funding from the parish council
4. The timing of any hospitality, is the giver looking for an obligation on a decision from the council?

In the interests of openness and transparency, Newick Parish Council has agreed that members should notify the Council via the Clerk of any *offers* of gifts or hospitality worth more than £50 that have been made to them before accepting the offer. Any such notification will be considered at the next available Parish Council meeting, with the decision on the gift's appropriateness being recorded in the minutes.

Members are also encouraged to register any gift or hospitality received below the £50.00 threshold, but there is no obligation to make a disclosure at a Council meeting of the source of the gift or hospitality.

Adopted 28th July 2020

Signed(Chairman of Newick Parish Council)