

GREATER LONDON AUTHORITY

REQUEST FOR DIRECTOR DECISION – DD2372

Title: Corporate gifts

Executive summary

Occasionally the Greater London Authority (GLA) receives corporate gifts from stakeholders. Corporate gifts are gifts to the organisation as a whole rather than to particular individuals within the organisation. They must be declared to the Monitoring Officer in the normal way (as set out in the GLA Gifts and Hospitality Policy and Procedure), but do not need to be recorded against an individual's declarations of gifts and hospitality (which are published on the GLA's website).

This decision form sets out the GLA's process for dealing with corporate gifts.

Decision

That the Executive Director of Resources, following consultation with the Monitoring Officer, approves the GLA's approach for dealing with corporate gifts as set out in this decision form.

AUTHORISING DIRECTOR

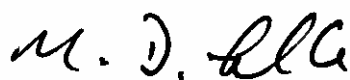
I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities.

It has my approval.

Name: Martin Clarke

Position: Executive Director of Resources

Signature:



Date:

1.7.19

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

- 1.1 Occasionally the GLA receives corporate gifts from stakeholders. Corporate gifts are gifts to the organisation as a whole rather than to particular individuals within the organisation. They must be declared to the Monitoring Officer in the normal way (as set out in the GLA Gifts and Hospitality Policy and Procedure), but do not need to be recorded against an individual's declarations of gifts and hospitality (which are published on the GLA's website).
- 1.2 This decision form sets out the GLA's process for dealing with corporate gifts.

2. Objectives and expected outcomes

- 2.1 The approach to corporate gifts will be to:
 - Relay the GLA's gratitude to the donor, once the decision has been taken by a senior officer to receive a particular corporate gift with a clear reason for why it is appropriate to do so (e.g. maintaining good stakeholder relations);
 - Hold on to the corporate gift for an appropriate length of time which would normally be at least the length of one Mayoral term (i.e. four years) so as to demonstrate the organisation's gratitude and maintain good relations; and
 - Consider the scope for donating the corporate gift to benefit a suitable charitable cause, once the length of time referred to above has elapsed.
- 2.2 In terms of the last point, the following would apply:
 - It would need to be clear to the GLA what the valuation of the corporate gift at that point of time is;
 - That charitable cause would need to be of benefit to London and Londoners (e.g. the Mayor's Fund for London); and
 - Appropriate records would need to be kept as to the course of action taken.
- 2.3 The lead senior officers in such cases would be:
 - The Executive Director of Resources; and
 - The Monitoring Officer.
- 2.4 It is viewed that the approach set out above is appropriate in the circumstances and beneficial to both the GLA and to London.

3. Equality comments

- 3.1 There are no specific equalities issues arising.

4. Other considerations

- 4.1 The GLA will act with impartiality at all times when dealing with the receipt and disposal of corporate gifts.

5. Financial comments

- 5.1 Finance officers will ensure that corporate gifts are securely stored while held by the GLA and that they have valuations attached to them for insurance purposes.
- 5.2 There are no budget implications for the GLA as no income from corporate gifts is budgeted for and so there are no financial implications arising from corporate gifts being donated to a charity.
- 5.3 Any additional insurance costs arising from holding corporate gifts are marginal.

6. Legal comments

- 6.1 Section 2 of the Bribery Act 2010 makes it a criminal offence to request, agree to receive, or accept a financial or other advantage, intending that, as a result, a relevant function or activity should be performed improperly, or as a reward for such improper performance. The GLA Gifts and Hospitality Policy and Procedure also applies in respect of gifts accepted on behalf of the GLA, providing that such gifts should be registered with the Monitoring Officer in the normal way. The GLA as a public body must conduct itself impartially and without being influenced by any improper inducement. Further, neither the retention by the GLA of a corporate gift, nor any indication of gratitude by the GLA for a corporate gift, should be reasonably perceivable as indicating any departure from impartiality or normal procedures in favour of the donor of the gift. Accordingly, careful consideration should be given as to whether a corporate gift should be received, and if received, retained.
- 6.2 Officers must ensure that any subsequent donation by the GLA of corporate gifts received as referred to above does not have the effect of providing recipients with an unfair advantage in the market in which they operate. Among other things, the value of the gift will be material here; if there is any doubt, legal advice should be taken.

7. Planned delivery approach and next steps

Activity	Timeline
Director's Decision signed off	July 2019
Review of corporate gifts currently held	July 2019
Decisions and actions taken in respect of current corporate gifts	September 2019

Appendices and supporting papers

GLA Gifts and Hospitality Policy and Procedure which is available via the GLA's website:
<https://www.london.gov.uk/about-us/governance-and-spending/good-governance/our-procedures>

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 - Deferral

Is the publication of Part 1 of this approval to be deferred? No

If YES, for what reason: N/A

Until what date: N/A

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – No

ORIGINATING OFFICER DECLARATION:

Drafting officer to confirm the following (✓)

Drafting officer:

Tom Middleton has drafted this report in accordance with GLA procedures and confirms the following:

✓

Head of Service:

Tom Middleton has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.

✓

Financial and Legal advice:

The Finance and Legal teams have commented on this proposal, and this decision reflects their comments.

✓

Corporate Investment Board

This decision was considered by the Corporate Investment Board on 1 July 2019

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature

M. D. Allen

Date

1.7.19