

West Surrey Shadow Authority		
Report title: Guidance for Councillors on Gifts and Hospitality		
Report to: Constitution Sub-Committee		
Date: 6 August 2026		
Executive Portfolio Holder: Cllr Victoria Kiehl Contact Email: Victoria.Kiehl@westsurrey.gov.uk		
Report of Statutory Officer: Susan Sale, Monitoring Officer (interim), Contact Email: susan.sale@westsurrey.gov.uk		
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Wards affected: All Ward councillors informed: No		
Exempt from publication: No		
Key Decision: No	If a Key Decision, date registered on Forward Plan: N/A	
Report cleared for publication by:		
People Workstream	N/A	N/A
Equalities Impact Assessment complete	N/A	N/A
Senior Responsible Officer (or their delegate)	N/A	N/A
S151 Officer	Vicky Radford	28 July 2026
Monitoring Officer	Susan Sale	28 July 26
Executive Portfolio Holder consultation	Cllr Victoria Kiehl	28 July 26
Committee Chair consultation	Cllr Richard Wilson	28 July 26
Head of Paid Service	Andy Brown	Not available

1. Executive Summary

- 1.1** This report proposes the adoption of Guidance for Councillors on Gifts and Hospitality for West Surrey Council, both during the Shadow Period and post Vesting Day. The Guidance will support councillors in identifying, declaring and managing offers of gifts and hospitality connected with their role and establish a consistent approach across the new authority.
- 1.2** In preparing the proposed Guidance, officers have reviewed the arrangements operated by predecessor councils in West Surrey as well as relevant national guidance. The proposed Guidance has been developed specifically for West Surrey Council.
- 1.3** Adoption of the Guidance will promote transparency, support high standards of conduct and provide councillors with practical guidance on the acceptance, refusal and declaration of gifts and hospitality.

2 Recommendations:

2.1 That the Constitution Sub-Committee resolves to:

- 2.1.1** Consider the proposed Guidance for Members on Gifts and Hospitality attached at Appendix 1, and recommends its approval to the Standards Committee

2.2 That the Standards Committee recommends that the Shadow Authority resolves to:

- 2.3** Adopt the Guidance for Councillors on Gifts and Hospitality, attached at Appendix 1 to this report, into the West Surrey Shadow Authority Constitution and for post Vesting Day, the West Surrey Council Constitution.
- 2.4** Note that the Monitoring Officer will maintain a Register of Gifts and Hospitality declared by councillors and co-opted members and arrange for relevant entries to be published on the Future Surrey website.
- 2.4.1** Delegate authority to the Monitoring Officer, in consultation with the Chair of the Standards Committee, to make minor administrative, legislative and formatting amendments to the Guidance where these do not materially alter its purpose or effect

3 Reason(s) for recommendation:

- 3.1** To establish a single, clear and consistent approach to the acceptance, refusal, declaration and registration of gifts and hospitality by councillors and co-opted members of West Surrey Shadow Authority and in due course, West Surrey Council.

- 3.2** To support compliance with the Members' Code of Conduct and the Seven Principles of Public Life and to help councillors avoid circumstances that could give rise to actual or perceived influence, personal gain or impropriety.
- 3.3** To promote openness and public confidence by providing for the maintenance and publication of a Register of Gifts and Hospitality.

4 Next steps

- 4.1** Subject to the Standards Committee endorsing the recommendations from the Constitution Sub Committee, the proposed Guidance for Councillors on Gifts and Hospitality will be recommended to the Shadow Authority for approval.
- 4.2** Following approval, the Guidance will be incorporated into the Constitution and will form part of the ethical governance framework both for the Shadow Authority and for West Surrey Council and will operate as supporting guidance to the Members' Code of Conduct.
- 4.3** The Monitoring Officer will establish the arrangements required for councillors and co-opted members to declare gifts and hospitality and for relevant information to be recorded and published. Information on the requirements of the Guidance will be included as part of the Member Development Programme.

5 Exemption from publication

- 5.1** This report is not exempt from publication.

6 Background and Proposal

- 6.1** The acceptance of gifts and hospitality by councillors can create a risk of actual or perceived influence over their conduct or decision-making. Even where an offer has no improper purpose, its acceptance may give rise to a public perception that a councillor has received a personal benefit because of their position or may be expected to show favour in return.
- 6.2** Clear guidance assists councillors in deciding whether an offer should be accepted or refused and whether it must be declared. It also protects individual councillors and the authority by promoting openness, consistency and compliance with the Seven Principles of Public Life.
- 6.3** The Local Government Association's Model Councillor Code of Conduct provides that councillors should not accept gifts or hospitality that could give rise to real or substantive personal gain or a reasonable suspicion of influence. It also provides for gifts and hospitality with an estimated value

of at least £50 to be registered with the Monitoring Officer within 28 days and for significant offers that have been refused to be registered.

6.4 As the Shadow Authority does not have an existing policy or process for the declaration and registration of gifts and hospitality, it is necessary to establish a single set of arrangements for all councillors and co-opted members of the new Council. The proposed guidance does not replace or consolidate the policy of any predecessor authority but has been prepared specifically for the Shadow Authority and West Surrey Council.

6.5 The current arrangements in predecessor authorities are set out below:

Authority	Policy/ Guidance	Registration Threshold	Declare refused Offers	Publication of Register
Surrey County Council	Members' Code of Conduct	£50	No	Gifts and hospitality over £50 published within each Member's Register of Interests
Guildford Borough Council	Guidance for Members on Gifts and Hospitality (Annex to Members' Code of Conduct)	£50	Yes	Published online
Runnymede Borough Council	Policy on Gifts and Hospitality	£50	No	Online declaration process / register maintained
Spelthorne Borough Council	Policy on Gifts, Hospitality and Sponsorship	£35	Yes	Published online
Surrey Heath Borough Council	Members' Code of Conduct	£50	No	Register available for public inspection at Council offices
Waverley Borough Council	Guidance for Members on Gifts and Hospitality (Annex to Members' Code of Conduct)	£50	Yes	Published online
Woking Borough Council	Members' Code of Conduct.	£50	No	Published online

- 6.6** The review demonstrates that a £50 registration threshold is widely used, including across West Surrey. However, there is variation in whether refused offers are recorded, whether more detailed practical guidance is provided and whether the register is published online, incorporated within Members' Registers of Interests or made available only on request.
- 6.7** Drawing on the review of existing arrangements, the proposed Guidance will:
- a) establish a clear presumption that gifts or hospitality should not be accepted where doing so could create an actual or perceived obligation or influence;
 - b) provide practical guidance to councillors on assessing and responding to offers;
 - c) establish a consistent £50 threshold for the registration of gifts and hospitality;
 - d) require declarations to be submitted within 28 days;
 - e) address significant gifts and hospitality that have been offered but refused;
 - f) provide access to advice from the Monitoring Officer where a councillor is uncertain; and
 - g) provide for relevant information to be made publicly available.
- 6.8** A threshold does not mean that gifts or hospitality below that value can automatically be accepted. The nature of an offer, the identity and relationship of the person or organisation making it, the circumstances in which it is offered and how acceptance might reasonably be perceived are all relevant. A gift or hospitality below £50 may still need to be refused where acceptance could create an impression of influence or impropriety.
- 6.9** Similarly, registration of a gift or hospitality does not make its acceptance appropriate. Registration is a transparency requirement and is separate from the initial decision about whether an offer should be accepted. The proposed Guidance therefore places primary emphasis on careful consideration and, where appropriate, refusal.
- 6.10** Publishing relevant entries from the Register of Gifts and Hospitality will provide greater transparency than arrangements under which the register can only be inspected at council offices. It will also enable residents to access the information without making a separate request or attending a council office.
- 6.11** The proposed Guidance brings together recognised good practice into a single framework tailored to the governance arrangements of West Surrey Council.

7 Consultation

- 7.1** The proposed Guidance has been informed by a review of arrangements operated by the predecessor authorities across West Surrey.
- 7.2** Consultation has also taken place with the Portfolio Holder for Governance, Democracy and Corporate Services.
- 7.3** Consultation has also taken place with the Chair of the Standards Committee.
- 7.4** No public consultation is proposed. The Guidance concerns the internal ethical governance arrangements applying to councillors and co-opted members and is based on established principles of public life, national guidance and existing local authority practice.

8 Key Risks

- 8.1** Failure to adopt clear guidance on gifts and hospitality could result in inconsistent practice across the new Council, increasing the risk of actual or perceived conflicts of interest and undermining public confidence in the Council's ethical governance arrangements.
- 8.2** Without clear guidance and a consistent process for declaring and recording gifts and hospitality, councillors may be uncertain about the circumstances in which offers should be accepted, refused or registered, creating a risk of inadvertent non-compliance with the Members' Code of Conduct.
- 8.3** The proposed Guidance mitigates these risks by establishing a clear, consistent and transparent framework for the acceptance, refusal, declaration and publication of gifts and hospitality, supported by advice from the Monitoring Officer where required.

9 Options

- 9.1** The Constitution Sub-Committee is asked to consider the proposed guidance and recommend it to the Standards Committee for onward recommendation to the Shadow Authority
- 9.2** Option 1 – Approve the proposed Guidance (recommended). This option would adopt the proposed Guidance and establish the arrangements for declaring, recording and publishing gifts and hospitality at West Surrey Council, both during the Shadow Period and post vesting Day.

- 9.3** Option 2 – Adopt one of the predecessor authority policies without amendment. This option was considered but is not recommended. Whilst the predecessor authorities have well-established arrangements, West Surrey Council is a new authority and requires governance documents that reflect its own constitutional framework. Officers have reviewed the arrangements operated by predecessor authorities and wider authorities to develop guidance specifically for West Surrey Council rather than reproducing the Policy of any one authority.
- 9.4** Option 3 – Do not adopt guidance – This option is not recommended. Although the Members' Code of Conduct establishes general standards of behaviour, the absence of supporting guidance would provide less clarity for councillors, could lead to inconsistent practice and would reduce transparency in relation to the declaration and registration of gifts and hospitality.
- 9.5** Option 4 – Instruct officers to prepare an alternative guidance. This would require additional officer time and resources and would delay implementation. There is no evidence that an alternative approach would provide greater benefit than the proposed guidance.

10 Issues for consideration

10.1 Financial Implications

- 10.1.1 There are no significant financial implications arising directly from this report.
- 10.1.2 Any administrative costs associated with maintaining and publishing the Register of Gifts and Hospitality will be met from existing resources.

10.2 Section 151 Officer Commentary

- 10.2.1** West Surrey will operate in a very challenging financial environment, with significant budgetary pressures from increasing demand and costs of service delivery, coupled with limited financial resources and reducing government funding. West Surrey Council will be increasingly reliant on Council Tax as the primary source of income.
- 10.2.2** Decisions made by the sovereign councils in West Surrey and the West Surrey Shadow Authority will need to consider the ongoing financial impact and ensure that expenditure does not exceed the resources available. It is vital that significant importance is placed on effective financial management and medium-term financial sustainability to achieve a balanced budget position and protect delivery service.
- 10.2.3** Adopting a gifts and hospitality register shows strong governance for West Surrey Council.

10.3 Legal Implications

10.3.1 Section 27 of the Localism Act 2011 requires local authorities to promote and maintain high standards of conduct by members and co-opted members and to adopt a Code of Conduct consistent with the Nolan Principles of Public Life.

10.3.2 Whilst there is no statutory requirement to adopt separate guidance on gifts and hospitality, local authorities have the power to adopt local governance arrangements to promote and maintain high standards of conduct.

10.4 Monitoring Officer Commentary

10.4.1 It is good practice to adopt a gifts and hospitality policy and this will help support the ethical framework across both the Shadow Authority and West Surrey Council, by setting clear expectations for members and giving clarity to the public.

10.5 People/Human Resources Implications

10.5.1 There are no direct human resources implications arising from this report

10.6 Equality and Diversity Implications

10.6.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

10.6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

10.6.3 This duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report.

10.7 Climate Change and Sustainability Implications

10.7.1 The proposed guidance has no direct climate change or sustainability implications.

10.8 Stakeholders Implications

10.9 The proposed guidance will apply to councillors and co-opted members of the Shadow Authority and West Surrey Council will be asked to adopt it. There are no direct implications for residents, businesses, parish and town councils or other external stakeholders.

10.9.1 The publication of the Register of Gifts and Hospitality will support transparency and provide assurance to residents and other stakeholders regarding the Council's ethical governance arrangements.

11 Overview & Scrutiny Comments

11.1 Not applicable.

12 List of Appendices

12.1 Appendix 1 - Draft Guidance for Councillors on Gifts and Hospitality

13 List of Background papers

13.1 Surrey County Council – Members' Code of Conduct and published Register of Interests (Gifts and Hospitality).

13.2 Guildford Borough Council – Guidance for Members on Gifts and Hospitality (Annex to the Members' Code of Conduct).

13.3 Waverley Borough Council – Guidance for Members on Gifts and Hospitality (Annex to the Members' Code of Conduct).

13.4 Spelthorne Borough Council – Policy on Gifts, Hospitality and Sponsorship (2019 review).

13.5 Surrey Heath Borough Council – Members' Code of Conduct.

13.6 Runnymede Borough Council – Gifts and Hospitality declaration arrangements.

13.7 Woking Borough Council – Constitution and Members' Code of Conduct.