

Declaration of Interests Policy

1. Introduction

- 1.1 This policy applies to all individuals who are working in partnership or representing Conwy County Borough Council including employees, casual workers, temporary workers, Agency Workers and Consultants working on behalf of the Authority.
- 1.2 The public is entitled to the highest standards of conduct from all workers (reference to workers includes permanent, temporary, agency, consultants and those working in partnership with or representing Conwy County Borough Council). The role of such workers and employees is to serve the Council by providing advice, implementing its policies, and delivering services to the local community. In performing their duties, all employees must act with integrity, honesty, impartiality and objectivity. This policy has been prepared to ensure that all staff maintain the highest ethical standards in the conduct of the Authority's business.
- 1.2 The *Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001* states:
"Whilst qualifying employees' private lives are their own concern, they must not allow their private interests to conflict with their public duty. They must not misuse their official position or information acquired in the course of their employment to further their private interests, or the interests of others. In particular, they must comply with any rules of their relevant authority on the registration and declaration by employees of financial and non-financial interests."
- 1.3 This policy is also part of the prevention framework detailed in the Anti-Fraud and Corruption policy.

2. General Principles

- 2.1 The Council is responsible for ensuring that all services provided to the public meet the highest standards. In addition the Council is responsible for ensuring that individuals to whom this policy applies are not placed in a position which risks or appears to risk, conflict between their private interests and their local government duties.
- 2.2 Conflict of Interest refers to situations in which personal / business interests (which may include financial interests) may compromise, or have the appearance of, or potential for, compromising professional judgement and integrity and, in doing so, the best interests of the Council.
- 2.3 Individuals must avoid placing themselves in a position where there is an actual or potential conflict between their personal and / or 'outside' interests and their duties to the Council. The appearance of a conflict of interest must also be avoided. Declaring any conflicts of interest (actual, potential or perceived) will disclose the issue and allow the most appropriate course of action to be taken. Those with a conflict of interest are expected to abstain themselves from decisions where such a conflict exists.

2.4 Individuals in material breach of the Council's policy and/or code of conduct may, in certain circumstances, be subject to disciplinary action.

3. **Considering a Declaration of Interest**

3.1 A declaration of interest must be made at the time of commencement of employment, engagement of contract with the Authority as detailed in the Departmental Induction Procedures.

3.2 If an individual subsequently becomes aware of any such potential conflict arising or indeed that may be perceived or construed as arising an updated declaration form **must be completed immediately**. A good test is for an individual to ask himself/herself whether others would think that the interest is of a kind to generate a conflict.

3.3 Ultimately it is for the Head of Service/ Strategic Director to determine whether a conflict exists and any action that should be taken.

3.4 It is a requirement for the following individuals to complete an annual Declaration of Interest at the beginning of each financial year as leading decision makers / approvers for expenditure on behalf of the Council:

Chief Executive, Strategic Directors, Heads of Services, all employees on the authorised list of signatories and any employee incurring expenditure on behalf of the Council.

3.5 Individuals should always err on the side of caution and declare any interest which might have some bearing on duties undertaken for the Council, particularly any decisions or recommendations which an employee might be called upon to make.

4 **Recruitment of Employees and Other Employment/Contracting Matters**

4.1 Individuals involved in recruitment or contracting workers must ensure that appointments are made purely on the basis of merit in accordance with the Council's Recruitment and Selection Policy, Casual Engagement Policy or Agency Workers Framework.

4.2 To avoid any possible accusation of bias, individuals must not be involved in any appointment where they are related to an applicant or with whom they socialise outside the workplace e.g. members of the same societies, clubs, teams etc.

4.3 Individuals must not be involved in decisions relating to discipline, promotion or pay adjustments for any employee who is a relative, partner or person with whom they socialise outside the workplace.

5. **Procurement - Contractors & Suppliers**

5.1 Contract Standing Orders are based on the principles of effective corporate governance, with the objective of setting clear rules for the procurement of goods, works and services for the Authority and providing a system of openness, integrity and accountability, where probity and transparency of the process will be beyond reproach. Contract Standing Orders provide guidance on the high standards of

probity required of officers involved in the procurement, award and management of Council Contracts.

- 5.2 Individuals must declare all relationships of a private or business nature with external contractors/suppliers or potential contractors/suppliers of the Council. All orders and contracts must be awarded on merit, by fair competition against other tenders and no favour shall be shown in the tendering process to businesses run by, for example, friends, partners or relatives.
- 5.3 Individuals who engage or supervise contractors/suppliers who have previous or current relationships of a private or business capacity with these contractors/suppliers must declare these relationships.
- 5.4 Where an individual declares they have a private or business relationship with a contractor or supplier, they must have no future involvement or dealings with them from a Council perspective e.g. placing orders or works instruction or certifying payments.

6. **The Procedure for Making a Declaration**

- 6.1 Heads of Service should ensure that all their employees are aware of the requirements of the *Declaration of Interests Policy*.
- 6.2 Disclosures must be made by individuals on the official **Declaration of Interests form (Appendix A) and sent via their Line Manager to their Head of Service for consideration.**

For employees and temporary staff- All information from the form will be entered into the allocated section on the iTRENT HR/Payroll system by departmental HR Link Officers. A copy of the completed officer declaration form and risk assessment shall be retained on the individuals personal file.

For Agency Workers and Consultants a record should be kept in the department.

- 6.3 A “nil” return is required from an employee who has no interests to declare.
- 6.4 Individual declarations must be reviewed by Heads of Service with discussion with line managers as appropriate. A risk assessment must be undertaken using the declaration form. Any disclosure will be assessed on a case by case basis. Where there is potential conflict of interest, measures must be put in place to mitigate risk for the Council e.g. individuals will be excluded from the procurement process or ongoing contract management etc.

APPENDIX A

DECLARATION OF PERSONAL / BUSINESS INTERESTS FORM

Name Job Title

Payroll Number Service Please

Select.....

DECLARATION: I have read the Declaration of Interests Policy and

- (a) I certify that I have no relationships, involvements or interests of a financial or nonfinancial nature, which might result in a conflict of interest with the Council or,
- (b) I certify that I have no other relationships, involvements or interests of a financial or nonfinancial nature ***other than those listed below*** which might result in a conflict of interest with the Council.

	INTEREST	DETAILS
1.	Membership of Governing Bodies, including all Conwy CBC Schools.	
2.	Membership of any social, sporting, charitable or other organisations or fraternities e.g. Freemasons	
3.	Membership of outside bodies in a voluntary or paid capacity.	
4.	Ownership or involvement with any business/company (including Web based).	
5.	Personal relationships of a business or private nature with external suppliers/contractors or potential suppliers/contractors.	
6.	A relationship to an officer or Member (e.g. relative, partner or friendships where you socialise outside of work regularly).	
7.	<u>All</u> other employment undertaken including other roles within the Council, with other employers, including casual posts and self employment (list all employer's names and addresses and roles undertaken).	
8.	Other Interests (please specify).	

I understand that it is my responsibility to discuss and review any interests with my manager and update this declaration in line with policy.

SIGNATURE:		DATE:	
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APPENDIX A

Assessment of Risk (must be completed if employee has selected (b).

NATURE OF RISK	DECISION / ACTION
Please complete in detail	Please complete in detail

Head of Service Signature

NAME AND JOB TITLE	SIGNATURE	DATE

Form to be kept on employees personal file. (either paper or electronic) and input into iTrent by Departmental HR Link Officers.