

# **EPHING FOREST DISTRICT COUNCIL -**

## **CODE OF CONDUCT FOR STAFF**

### **Guidance notes on the declaration of pecuniary and personal interests**

#### **1. Introduction**

- 1.1 The Code of Conduct covers all employees working under a contract of employment within Local Government, including sessional workers and casuals. Some of the issues covered by the Code may affect Senior, managerial and professional employees more than it will others.

#### **2. Advice**

- 2.1 You are advised not to maintain outside interest which are to the detriment of your work with the Council or conflict with your employment with the Council.
- 2.2 If you are in doubt as to whether or not you have specific outside interests which should be declared, you should contact your manager in the first instance or your Head of Service. If you do not wish to discuss these issues with your manager, you should contact the Human Resources Unit.
- 2.3 Shareholders (Part B, Question 1.2 of the declaration form) - you are only required to declare shareholdings which could be directly related to your work, for example, shareholdings that provide a measure of control of a company which has dealings with the Council, or shareholdings, the value of which might be affected by Council work in which you are involved.
- 2.4 Grant Aid/Professional Bodies (Part B, Question 1.3 of the declaration form) - where you are involved either yourself in the running of a group or organisation as a Committee member, or involved in the decision-making process, then you should declare this only if it has a clear impact on your area of work and conflicts with the Council's interests. If you are in any doubt about this you must discuss it with your manager.
- 2.5 Membership of Clubs, Associations and Societies (Part B, Question 2 of the declaration form) - this includes special interest societies, charities, groups that are grant-aided by the Council and pressure groups. These need only be declared where there may be a direct impact on your area of work. You must declare membership of organisations not open to the public, with commitment of allegiance, which has secrecy about rules of membership or conduct and which furthers the interests of its members over the interests of others.
- 2.6 Professional Bodies (Part B, Question 3 of the declaration form) - if you are asked to do work and intend to use information relating to the Council for a group or organisation of which you are a member, you should declare your membership.

- 2.7 Housing Association/Tenants' Residents' Association (Part B, Question 5 of the declaration form) - if you are a Committee member of a Council Tenants' Residents' Association, you should declare your membership where there may be direct impact on your area of work.
- 2.8 Trust(s) (Part B, Question 6.2 of the declaration form) - if you are a member of a charitable Trust or have any other interest you only need to declare it where there may be a direct impact on your area of work.
- 2.9 Recruitment of Relatives (Part V, Question 7 of the declaration form) - the term "associated with" includes spouse, partner, close family members, e.g. mother, father, sister, brother and other persons with whom you have a close personal relationship.

### **3. Completing the Declaration Form**

- 3.1 Please read the Code of Conduct carefully and consider whether you have any external interests which may need to be declared. If you are in any doubt about whether you should declare a specific matter, it is recommended that you declare it.
- 3.2 **New Employees and those accepting new Contracts of Employment:** All newly appointed staff and existing staff accepting new contracts of employment will be required to complete a declaration of interests form as a condition of appointment. This requirement will be publicised in the recruitment documentation sent to applicants. All staff will be required to declare interests before taking up their posts.

### **4. Completed Declaration Forms**

- 4.1 Once you have completed the Code of Conduct declaration form, it will be reviewed by the Head of Human Resources. The information you give is strictly confidential. Heads of Service will be made aware of anything of relevance in the declaration and ensure that any declaration made will not be used inappropriately. Completed forms will be kept on personal files.

### **5. Failure to declare/follow the Code**

- 5.1 If you fail to return a declaration form, it will not, in itself, constitute a disciplinary offence. However, should a relationship or other issue emerge which was relevant and this has not been declared as set out in this Code, non-declaration might be taken as evidence of misconduct or gross misconduct in a disciplinary situation.
- 5.2 Failure to follow the Code in any aspect may also be raised in disciplinary action taken against you for a breach of the Council's rules or procedures.
- 5.3 The above instances may constitute a criminal offence under the Local Government Act 1972; criminal sanctions may apply where an abuse of position has occurred as a result of a Council contract or where an employee or his/her relatives have gained pecuniary advantages.

### **6. Inspection of Information**

- 6.1 Your declaration form will not normally be open for inspection to anyone, other than the relevant Director/Head of Service/Human Resources Unit. However, a senior manager may need to check a declaration form should either your membership of an

organisation emerge or should there be suspicion that a relationship or other issue has emerged which is relevant to your duties and is contrary to the Code of Conduct.

- 6.2 By completing a declaration form, this will not in itself represent any form of sanction or approval by the Council of the contents of the declaration.

## **7. Amending Declaration Forms**

- 7.1 If your circumstances alter and you wish to amend or review a declaration form, or view your personal file, please contact the Human Resources Unit.

## **8. Confidentiality**

- 8.1 The information given on the declaration form is given in the strictest confidence and must not be divulged inappropriately by Directors, Heads of Service or Human Resources Staff. Inappropriate divulgence may result in disciplinary action being taken.