

**1. Introduction**

- 1.1 The law (Local Government Act 1972) specifically requires employees to disclose any 'pecuniary' interests they may have, whether direct or indirect, in any contract with which the Authority is concerned. Not to do so may be a criminal offence and could lead to disciplinary action being taken.
- 1.2 This document only applies to employees, as Members of the Council have been issued with their own code of conduct.

**2. Declaration of Interests**

- 2.1 A declaration under section 117 of the Local Government Act 1972 should be made where employees or their spouses receive any form of remuneration from a firm or person(s), which they know has had or is proposed to have dealings with the Parish Council. Even if the remuneration may be quite properly payable. This may include payment for work done, commission, honoraria, dividends, interest, agency or other fees.
- 2.2 An interest could include, for example, any of the following:-
  - holding any shares in the company;
  - employment by the company or acting as an agent for the company;
  - being Chairman, Secretary of a body or organisation doing business or seeking grants from the Council; or
  - having close family\* who are Directors or employees who are of a sufficient grade to exert influence on any decision making process in the company.
- 2.3 If an employee has any interest, which falls within the above broad outlines of 2.2, then full details must be submitted in writing to the Parish Administrator. The Parish Administrator will promptly provide a written acknowledgement that the declaration of interest has been noted. Full details will then be filed in the individual's personnel file.
- 2.4 If an employee has any doubts about what constitutes "an interest" they are advised to discuss the position with their Parish Administrator.

### **3. Other Employment**

3.1 Officers are reminded of the NJC Scheme of Conditions relating to other employment. For information, these are reproduced below.

"70 General

- (a) The public is entitled to demand of a Local Government Officer conduct of the highest standard and public confidence in his integrity would be shaken were the least suspicion to arise that he could in any way be influenced by improper motives.
- (b) An Officer's off-duty hours are his personal concern, but he should not subordinate his duty to his private interests or put himself in a position where his duty and his private interests conflict. The employing Authority should not attempt to preclude Officers from undertaking additional employment but any such employment must not, in the view of the Authority, conflict with or react detrimentally to the Authority's interests, or in any way weaken public confidence in the conduct of the Authority's business.
- (c) The Officer should not be called upon to advise any political group of the employing Authority either as to the work of the group or as to the work of the Authority; neither shall he be required to attend any meeting of any political group."

"71 Whole-time Service

Officers above Scale 6 shall devote their whole-time service to the work of their Council and shall not engage in any other business or take up any additional appointment without the express consent of the Council."

3.2 Before engaging in any business activity or private work an employee on or above incremental point 28 must receive the consent of their Parish Administrator to undertake the activity or work. Employees below incremental point 28 must advise the Parish Administrator that they are undertaking additional employment or engaging in business activity. This will allow the Parish Administrator to decide whether such employment or business activity conflicts or reacts detrimentally to the parish interest or in any way weakens confidence in the Parish's business. Notification of any business activity or private work must be given to the Parish Administrator in writing.

3.3 The Parish Administrator will be authorised to give consent provided that:-

- the activity or work will not interfere with the employee's official duties;
- there is no possibility of a conflict of interest arising between the activity or work and Parish Council business;
- in particular, the activity or work does not relate in any way to the granting of planning permission, any other consent under relevant planning legislation, or building regulation approval within the district, or to other decisions made by the Parish Council or its employees (eg purchasing, grants, etc);
- the activity or work does not in any way relate to contracts entered into by the Council.

- 3.4 The Parish Administrator will confirm any consent in writing, a copy of which will be filed on the individual's personnel file.
- 3.5 Where the consent of a Parish Administrator is withheld, the employee concerned will have the right of appeal in the first instance to the Chairman of the Council.
- 3.6 Where a business activity or form of private work is of a continuous nature, it shall be sufficient for the employee concerned to obtain one consent, provided that any change in the situation is notified by the employee at the earliest opportunity.

#### **4. Use of Council Facilities**

- 4.1 Any facility, equipment, tools etc provided by the Parish for use in an employee's duties should be used only for those duties and for no other purpose without written permission from their Parish Administrator. There are approved arrangements for some services to be used for private purposes on payment of a charge determined by the Parish Council, for examples private telephone calls from the workplace or photocopies.
- 4.2 Any abuse of official time, materials, and facilities etc in conjunction with private work or business activities will be treated with the utmost seriousness.
- 4.3 It is important to ensure that there is no suggestion that an employee uses his/her position as an employee to gain the use of Parish Council services without payment.

#### **5. Payment for Services**

- 5.1 If an employee receives a request to provide a service to an outside body in their capacity as an employee of the Council, for example giving a lecture, prior to acceptance the employee must obtain written permission from their Parish Administrator. If a fee is payable in respect of this service, the fee should be made payable to the Parish Council and not the individual. If the service provided is out of normal working hours then the method of remuneration for the employee should be clearly defined prior to the service being provided, for example, if overtime should be payable or if the hours worked will be returned as time in lieu etc.
- 5.2 It should be noted that under Section 117 of the Local Government Act 1972 employees are forbidden under the cover of their office and employment to accept any fee or reward other than their proper remuneration and any person who contravenes this provision would be liable to summary conviction.
- 5.3 Where services are provided on a 'private' basis by employees in their own time and a fee is charged, these services must not be provided as or construed to be as an 'employee of the Council'. The employee must give prior written notification of such matters to their Parish Administrator in the same way as for 'other employment'.

**6. Procedure to be followed**

- 6.1 An employee who has any interest, as defined in section 2, must complete a "Pecuniary Interests" form, (see Appendix 1 for an example of a Pecuniary Interests Form).
- 6.2 Before engaging in any other "employment", as defined in section 3, an employee must complete a "Pecuniary Interests" form and submit it to their Parish Administrator seeking their approval to undertake the activity or work, (see Appendix 1 for an example of a Pecuniary Interests Form).
- 6.3 The Parish Administrator will determine whether the other "employment" may be undertaken and if so how any payments or leave are to be dealt with. Once approved or otherwise, the form will be placing the form on the individual's personnel file.
- 6.4 All employees should complete the acknowledgement form attached to this policy to confirm that the contents have been understood and are accepted, (see Appendix 2).