

## Employee Interests and Integrity Procedure

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### 1. Introduction

The public expects the highest standards of conduct from all local government employees and councillors. Honesty, integrity and fairness are essential to a sound organisation such as Trowbridge Town Council. This document lays out the rules to which all Town Council employees are required to work according to their contract of employment.

The procedure must be followed by all employees of Trowbridge Town Council, and others who are involved directly in the work of the Council or through its events. It helps to protect employees and the Town Council from misunderstandings, criticism, miss-reporting and potential legal action. Each employee is required to sign the acceptance slip at the end of this document at the time of his/her commencement of employment with the Council, or, if an existing employee, when any changes to the procedure are implemented. The acceptance slip shall then be kept in the employee's personal file, held by Human Resources.

The definition of "employee" in this procedure is: *'any individual who is paid by, or works as a volunteer for, the Town Council including full time, part time, temporary or casual work'*

All employees are of course bound by legislation, but specifically the Local Government Act 1972, in particular Section 117.

Councillors have their own Code of Conduct, which they agree to abide by on becoming a councillor.

### 2. Standards

All employees are expected to give the highest possible standard of service and advice to the Town Council, (the employer). They will be expected to tell the appropriate manager of any problems with the services of the Town Council, through agreed procedures and without any fear of comeback.

Employees must report any improper behaviour, concern or service failure in accordance with the 'Whistle Blowing' procedure (Staff Handbook Appendix 19). They are protected against dismissal or victimisation by the Public Interest Disclosure Act 1998.

### 3. Disclosure of information

The law requires that particular information must be available to councillors, employees, the press and the public. The Town Council may decide to make available other kinds of information as well as that required by the Freedom of Information Act 2001, and the Data Protection Act 1998. The Council has decided which information it does and does not want to make generally available, and which is only available on request, as published in the Council's Freedom of Information Policy and Publication Scheme.

Employees must not use any information obtained through their job for personal gain or benefit, nor should they pass it on to others who might use it in such a way. They should not give out information received from a councillor or other employee, which is personal to that councillor or employee, and does not belong to the Council, without asking permission from that councillor or employee; the exception being matters covered by the 'Whistle Blowing' procedure.

### 4. Political neutrality

Employees serve the Town Council as a whole and therefore must serve all councillors equally and impartially, but only in so much as instructed and agreed by the Council, its Committees, sub-Committees, Project Groups, and Working Parties. They should not follow the instructions of individual councillors or members of the public. Employees must make sure that the individual rights, views and expectations of all councillors are respected, whether the views are acceptable to the employee or not.

Subject to the Town Council's rules and procedures, employees may also be expected to advise members of different political groups. They must do so impartially, in ways that make sure that they do not take sides politically, and must always give the reasons for these actions to an appropriate manager (Town Clerk or department manager) or Councillor (Mayor, Deputy Mayor or Chair of a committee) The advice should be impartial, objective and helpful. Employees must not allow their own personal or political opinions to interfere with their work.

Employees have the right to attend Council and committee meetings as a member of the public including, at the discretion of the Chair, to ask questions during the Open Forum section of the meeting. As employees, regard should be taken of the nature of any questions. Employees may have access to privileged information and should consider carefully whether such questions could be addressed through alternative communication with the members which are available to the employee. Any questions should not be asked in such a way as to undermine the integrity of the Council, its members or employees in a public forum.

### 5. Relationships

**Councillors:** Employees are responsible to the Town Council through their line managers. Mutual respect between employees and individual councillors is essential to good local government. Close personal familiarity between employees and individual councillors should be avoided so as not to damage the relationship and/or cause embarrassment to other employees and councillors. For example; employees should question the motives of themselves and the member concerned of frequent mainly social contact, such as a weekly invite to each others home with limited business requirements. Infrequent social contact is unlikely to need to be questioned. It is necessary for individual employees to consider each situation on its merits or seek advice from their line manager or other senior manager.

**Stake holders, the local community and service users:** Employees should always remember to give polite, professional, efficient and impartial service to all groups and individuals. They must not knowingly discriminate against any part of the local community or make damaging comparisons between groups. Employees representing the Council at partnership or public meetings, informal or formal, must not express their own personal objectives or opinions as being the view of the Council.

Employees should avoid situations that might lead to, or suggest, a conflict of interest between their personal and private interests and the interests of the Town Council.

## **6. Appointment and other employment matters**

Employees involved in staff or volunteer appointments, must make sure these are done on merit. It would be illegal for an employee to give a job to anyone, based on anything other than the ability of that person to do that job. In order to avoid possible accusation of bias, employees must not be involved in the process of giving such a job when they are related to the person seeking that job, or if they have a close personal relationship outside of work.

Similarly, employees should not be involved in decisions concerning discipline, promotion or pay adjustments for any other employee who is a relative, partner, etc. or where they have a close personal relationship outside of work.

Further specific requirements and guidance are provided in the Council's Recruitment Procedure.

## **7. Outside commitments/out of hours responsibilities**

Some employees have conditions of service that require them to get written permission to take any outside job. All employees should understand what they are expected to do under their contract of employment and must not take outside employment which conflicts with the Council's interests.

Employees' off-duty hours are of his/her concern, but he/she must not put his/her out-of-hours personal and private interests before his/her employment duties. An employee must not behave in a way that is in conflict with his/her professional duties and responsibilities to the council.

## **8. Declaration of interests by employees**

Employees must advise their line manager immediately whenever they have an interest that may cause a conflict of interest, examples are:

- a contract, or potential contract with the Town Council
- a planning application by a member of their family, if they are required to advise or are asked to comment on the application to Councillors
- family links with a possible new employee

Managers should report to the Town Clerk in writing, using the Declaration of Interests form (Appendix 2), information of any such relationship given to them by a member of their staff and any interest that they themselves may have.

Interests include financial interests, for example land ownership, and involvement in contracts or employment relationships. Financial interests also include indirect financial interests – that is the financial interests of your family, friends and other people you know.

Employees taking on an outside business interest should, as soon as they have done so, give the Town Clerk details of that business interest in writing.

When notified of an interest the Town Clerk will record the information on a register.

## **9. Contracts and tendering**

All transactions and communications of a contractual nature must be recorded in case of potential investigation of impropriety.

Employees aware of confidential information on tenders or costs for contractors, either working with the council or outside the council, must not give that information to any unauthorised person, business or organisation.

All business/private relationships with outside contractors should be made known to the employee's line manager in writing, using the Declaration of Interests form (Appendix B) Orders and contracts must be given on merit, by fair competition against other tenderers (as set out in the Council's Standing Orders), and no special favour should be shown to businesses run by known associates, e.g. friends, partners, relatives or former employees, in the tendering process. Employees must not be involved in giving or supervising contracts if they have, or have previously had, a private or personal relationship with the contractor. Information of any such relationship must be given to the Town Clerk in writing on the Declaration of Interests form.

Bribery in any form is illegal. Employees must make sure that they use public funds given to them in a responsible and lawful manner. They must ensure value for money to the local community, and avoid legal challenge or allegations of improper actions by the Town Council.

## **10. Gifts & Hospitality**

Employees must disclose any gifts or hospitality over the value of £25 by completing the Declaration of Gifts and Hospitality form (Appendix A) prior to accepting the offer of a gift or hospitality, or as soon as practical following receipt. Forms must be submitted within 28 days of a gift or hospitality being accepted.

Under no circumstances should employees accept any cash gifts. It is the responsibility of employees to declare to their line manager any offers of gifts, discounts and hospitality.

No undeclared offers of gifts, payments, hospitality or payment in kind of goods or services will be accepted or asked for by Town Council employees, or made by Town Council employees to other people, businesses or organisations.

All gifts and hospitality, including invitations from existing, or potential, contractors and suppliers, to attend functions which are only purely social or sporting, should only be accepted when these are properly agreed by the line manager, Town Clerk or Personnel Panel. They must be included in the gifts and hospitalities register held by the Town Clerk.

It is the responsibility of the line manager to make sure the Head of Resources is made aware of the information and can place the details on the gifts and hospitalities register.

When hospitality cannot be accepted, employees should politely but firmly tell those making the offer about the procedures and standards operating within the council.

Employees must not seek or accept discounts or other preferential rates on personal and private purchases of goods or services because they are a Town Council employee. Discounts offered by any organisations to employees for personal and private transactions will need to be formally agreed and accepted by the Town Council.

## 11. Sponsorship

Where an outside organisation wishes to sponsor a Council activity, the basic rules concerning acceptance of gifts or hospitality apply whether sponsorship is by invitation, tender, negotiation or voluntary. Particular care must be taken when dealing with contractors or potential contractors.

Where the council wishes to sponsor an event or service, no employee, partner, spouse or relative must gain directly from such sponsorship without there being full disclosure of interest to the correct manager. Where the council gives support in the community, through sponsorship, grant aid, financial or other means, employees should make sure that they give impartial advice, and that there is no conflict of interest involved.

## 12. Communications

If an outside communication requires an employee to refer to a named person, then that person should always be told, receive written details or a copy, and be involved in the communication process.

**Media: [newspaper, radio, television]** only employees whose job specifically requires them to deal with the media shall do so; they must give polite, professional presentations and information given must be based on facts, not on opinion. Any media requests to staff should be directed to their line manager or the Town Clerk.

**Email/internet:** this will not be misused in any way. The Council's Email, Internet, Social Media & Computer Use Policy gives full details on the correct use of this technology.

**Mail:** the postal system will not be misused in any way. No personal post will be paid for using the Council's postal facilities unless the full cost has been refunded to the Office Manager in advance.

## 13. Breaches of the procedure

All breaches of the procedure will be treated individually and separately, and where deemed necessary may lead to disciplinary action under the Town Council's disciplinary procedure. Employees may also find themselves the subject of criminal charges or other legal proceedings if it is considered that legislative breaches have occurred.

**Lance Allan – Town Clerk & Proper Officer**

Signed .....

Dated .....

Approved at the meeting of the Annual Council meeting on 18<sup>th</sup> May 2021.

Date of next review: May 2025 unless legislation or the size and nature of the Council changes.

**Appendix A**

**Disclosure of Gifts and Hospitality received in an Official Capacity**

An employee of the Council must, within 28 days of being offered a gift or hospitality over the value of £25, provide written notification to the Head of Resources (by completion of this form) of the existence and nature of that gift/hospitality. Contributions received towards the costs of any accommodation or travel must also be declared.

I.....(please print), as an employee of Trowbridge Town Council, give notice that I have been offered, and accepted, the following gifts, hospitality or contribution to accommodation or travel.

Date of Receipt	Description of gift, hospitality or contribution to accommodation or travel received	Name of Donor	Relationship of donor to Council

Signed:.....

Date:.....

Line Manager signature:.....

Date:.....

**Note** – this form will be held confidentially in the ‘Gifts & Hospitalitys’ file held by Head of Resources. Please forward the original signed form via your line manager.

Received by Head of Resources: (signature).....

Date:.....

**Appendix B**

**Declarations of Interests Form**

*This form should be completed by employees and submitted to the Town Clerk, via the employee's line manager, whenever a conflict of interest arises.*

*Managers should forward the form to the Town Clerk providing any additional information that they are aware of plus information on any related interest that they themselves may have.*

I..... (Please print), as an employee of Trowbridge Town Council, give notice of the following interest

Nature of Interest <i>e.g. personal/private relationship with contractor, planning application, links with job applicant</i>	Relationship to Employee <i>(if applicable)</i>

Signed:.....

Date:.....

**Line Managers Comments:**

Signed:.....

Date:.....

**Note** – this form will be held confidentially in the 'Register of Employee Interests' file held by the Town Clerk. Please forward the original signed form via your line manager.

Received by Town Clerk: (signature).....

Date:.....

## **Employee Interests and Integrity Procedure**

### **ACCEPTANCE SLIP**

I have received, read and understood the Council's Employee Interests and Integrity Procedure.

Signed .....

Name .....

Job Title .....

Date .....

*Completed forms should be returned to Juliet Weimar, Head of Resources*