



Declaration of Interests Policy

1. The Aim of this Policy

This Policy sets out the procedures to be followed by all who work for and on behalf of Southend on Sea Borough Council, in order to identify and manage any potential or actual conflict of interest that may impact on their work or the work of the Council, in line with the Employee Code of Conduct. The Policy covers all Council employees and those working on behalf of the Council, including interims and agency workers, as well as Council employees who are seconded to other organisations.

2. Principles

Employees must:

- Follow this Policy relating to potential or actual conflicts of interest that could impact on their work or that of the Council
- Declare any potential or actual conflicts of interest in accordance with this policy.
- Comply with this Policy; failure to do so is a disciplinary offence and will be taken very seriously.
- Ask their line or senior manager if unsure what is required of them.

3. Background

The Council is funded almost entirely through public funds. As representatives of the Council, the conduct of employees is expected to be of the highest standard, as prescribed in the Employee Code of Conduct.

Since much of the Council's business is carried out through contractual arrangements with third parties, it is essential that all are seen to be honest and transparent in any dealings with outside individuals and organisations.

In order to avoid bringing the Council or its employees into disrepute, employees must ensure that they formally declare any outside activity, relationship or other interest that could conflict with their public duty or contract of employment with the Council.

4. Interests which have to be declared to the Head of People & Policy

- 4.1** Section 117 of the Local Government Act 1972 requires you to notify the Council if you have a direct or indirect financial interest in any contract with the Council or under consideration by the Council. The financial interests of a person with whom you live also counts for this purpose. Any such interest that arises should be declared within the remit of this policy.
- 4.2 Employees' relationships with Outside Bodies** – this is any financial interest or employment or other role in any business or organisation which has a business, funding or regulatory relationship with the Council.
- 4.3 Relationships employee's relatives and close friends have with outside bodies** – any of your close family members or close friends who have an interest in an organisation which could have a relationship with the Council as described in the paragraph above. An example would be where an employee's spouse was a director of a company which was tendering to provide services on behalf of the Council.
- 4.4 Relationships within the Council** – any close friend or family member who works for the Council.

If an employee has any doubts about a situation, they should make a Declaration of Interest, and discuss the matter with their line manager.

5. Employee Responsibilities

5.1 All Employees

Upon appointment, all employees must read this Policy and complete a Declaration of Interest if appropriate. Employees must then review the whenever a change in circumstances occurs and complete a new Declaration of Interest as appropriate. For the purposes of this Policy, this includes consultants and interims working for the Council.

There may be certain service areas where, because of the nature of the work involved, it is deemed necessary for Declarations of Interest to be made on an annual basis, for example, in Internal Audit or Council Tax & Benefits. In such circumstances, Senior Managers may, at their discretion, require all staff working within these areas to comply with this requirement.

It is the responsibility of staff to make ad hoc declarations of interest if they find themselves in a position whereby they are involved with making a decision which relates to their external employment or their or any family member's involvement with a company. In this situation, the declaration should be made as soon as the conflict arises and the staff member should have no further part in the decision making process.

5.2 Line managers

Line managers must review, monitor and take action to ensure actual or potential risks arising from declared interests are monitored and resolved.

5.3 Directors and Heads of Service

Directors and Heads of Service are responsible for ensuring action is taken to resolve actual or potential conflicts of interest arising between the delivery of services and individuals within their areas of responsibility.

5.4 Declaration of Interest Register

An electronic central register of interests will be maintained by the Head of People & Policy in respect of all Council employees.

6. Employees are personally responsible for ensuring their Declaration of Interest is up to date at all times

6.1 How to make a Declaration of Interest

Guidance about how to make an online Declaration of Interest can be found in the “Online Declaration of Interest Guidance Notes” available from the “Declarations” area of the “My Employment” section of the Intranet.

6.2 Where a conflict of interest exists

Where a potential conflict of interest is identified, the manager who receives the declaration must assess risk. They must note what risks have been identified, e.g. risk of inappropriate disclosure of information due to close personal relationship at work. The manager should also state what action will be taken to mitigate the identified risk, e.g. discussion with employee to ensure understanding, and quarterly review at one to one meetings with the employee.

Where a significant risk of conflict is identified or where a manager is unsure how to identify or deal with a potential conflict, advice must be sought from the relevant senior manager. In certain circumstances, additional guidance may need to be obtained from the relevant Head of Service, Director, or HR.

7. Compliance with this Policy

You must comply with the guidance in this Policy. Failure to do so is a disciplinary offence, and disciplinary action will be taken, regardless of whether your actions also amount to a criminal offence. Criminal charges may apply if you fail to declare an interest in a contract or proposed contract or you or your immediate family have abused your position to influence Council contracts for your own gain.

8. Annual Declaration of Related Party Transactions

This annual declaration requires Directors and Heads of Service to declare any related party transactions. This annual declaration of related party transactions is a separate obligation and is not a substitute for a declaration of interest under this Policy.

9. Contact for More Information

For more information and help please contact HR Services on 215662 or via email on hrenquiries@southend.gov.uk