

# Staff Conflict of Interest Policy

South Oxfordshire and Vale of White Horse District Councils





## Change Record

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## 1 Vision and Values

### Our Vision

We are customer focused and approachable. We are honest and open and are committed to providing high quality cost-effective public services.

### Our Values



#### Working Together

We are a committed professional team, who embrace change and help one another improve



#### People and Planet

We care about each other and the environment we share



#### Respect

We act with integrity, and champion diversity and inclusivity



#### Accountability

We take ownership, do what we say, strive for clarity and welcome feedback



#### Approachability

We are open, honest and accessible



## 2 Introduction

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### 2.1 Purpose

This document details the councils Conflict of Interests Policy & Procedure.

### 2.2 Scope

This Policy applies to any permanent or temporary employee of the council(s), Contractors/Agency Workers, and staff on casual contracts.

This document supersedes any previously existing or alternative policies, agreements or arrangements relating to Conflicts of Interests Policy and Procedure at council. This includes details within the historic [Employee Conduct Policy](#), where this detail was previously held.

### 2.3 Contractual Status

This policy does not form part of your contract of employment.

The councils are entitled to introduce minor and non-fundamental changes to this policy by notifying you of these changes in writing. The councils will consult with UNISON (on behalf of all employees as part of the collective agreement) on any major changes to the policy.

The Conflicts of Interests Policy and Procedure will be regularly reviewed to ensure legislative compliance and best practice and may therefore be subject to adjustment from time to time.

### 2.4 Alternative formats

Please do not hesitate to contact a member of the Equalities Team if you would like this policy in an alternative format, via: [equalities@southandvale.gov.uk](mailto:equalities@southandvale.gov.uk)



## 3 Policy

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### 3.1 Summary

This policy and procedure outline the circumstances in which conflicts of interest may arise, and the process staff are expected to follow. The following policy is not an exhaustive list, and should you be unsure about a situation, please speak to your manager or the People and Culture Team before pursuing.

Failure to adhere to the steps outlined in this policy and procedure may result in further action, including the application of disciplinary or grievance proceedings. The process followed will be dependent on the type of behaviour exhibited.

In all cases the main objective is making sure that decision making is fair and that people making decisions can do so without even an appearance of a conflict between their public role for the Councils and their personal world.

### 3.2 Declaring interests

You need to be aware that the perception of your colleagues, councillors and the public is critical. An activity you carry out may be innocent but interpreted as a conflict of interest. If you have already declared the interest, your personal justification and the councils' defence will be more robust.

If you have any interest or activity that potentially conflicts with your work or with the interests of the councils, you are required to declare this. Details of how to do so can be found in section 4.1.

Examples of when you need to declare include, but are not limited to:

- submitting, appealing, or commenting on a planning application
- a second job or privately paid work
- awarding of contracts and/or grants to known parties
- working with a family member or friend and you feel this could be perceived as a conflict of interest.
- a family member or friend is a councillor in South Oxfordshire or Vale of White Horse
- submitting a freedom of information request



- being subject to or instigating a noise nuisance or planning enforcement complaint
- using the council's external complaints procedure
- social interests in clubs or organisations that could have contact with the councils (e.g. a social club applying for a grant)
- any form of benefit claim you make that is administered by the council or by an organisation on behalf of the councils.
- applying to join the housing register.
- any outside interest that could potentially be viewed as a conflict with your work, for example commercial land or property in the districts in which you have a beneficial interest, or a financial or personal interest in a company which has a contract or potential contract with either council.
- any other action that that you consider should be drawn to the councils' attention.

Information declared may be viewed by the Senior Management Team (SMT) and could be released to colleagues, councillors or to the public following advice from legal, however the decision as to what may be released lies with the Information Governance Team.

### 3.3 Interests in contracts

When procuring goods, services, or works the councils are required, from the outset, to take reasonable steps to identify any actual or potential conflicts of interest. This will be through preparing a conflicts assessment, which must be kept under review and updated as required through the procurement process, and subsequent contract delivery. The conflicts assessment should be retained even once the contract has been awarded as it may be needed in the future for audit purposes or as part of the application for discovery in the event of a court case.

More generally, you must declare if a contract you or a family member have a financial or commercial interest in is being considered by the councils. Details of how to do so can be found in section 4.1. You should also declare any relationships (personal or business) with representatives of external contractors who are working with the councils. If you are aware of confidential information on tenders or costs you should not disclose that information to any unauthorised third party.



### 3.4 Management of a family member or friend

If a role becomes available in your team whereby a family member or friend may be interested in applying, you should first declare this to your manager and People and Culture Team to discuss any potential conflict of interest. This includes individuals that are already working for the Council/s. Please refer to the Recruitment Policy (under development) for further detail on conflict of interest in the interviewing process.

Management of a family member or partner (direct or second level manager) would constitute a conflict of interest. Any occasions outside of this should be initially discussed with the People and Culture Team to determine if a conflict of interest applies.

### 3.5 Conflict within work responsibilities

Staff should not work on cases that are of personal interest to themselves, a member of their household, or a relative/friend. This includes, but is not limited to, working on grants, bids, or environmental health applications. If such a case arises, you should make your line manager aware, and they will need to reassign these cases. This may include checking with their service manager or head of service where the matter is complex, serious, or potentially has a wider impact. In the instance that this is not possible, and all other avenues have been explored, your manager should speak to the People and Culture Team before any work is carried out on the case involved.

### 3.6 Submitting or commenting on a planning application

The following scenarios require you to declare that you are an employee of the council(s), whether they apply to you, as part of a group (including family), on behalf of someone else or as part of an organisation. Declarations should be made upon submission of the relevant form or correspondence, but also in the Register of Interests; details of how to do so can be found in section 4.1. Your manager will need to approve your entry on the [Register of Interests page](#) and may check with the Planning service if they need any clarification regarding your application/comments.

Scenarios where you need to declare your interest:

- Submitting a planning application or any form of planning related applications (including trees), or building regulations to either council





- If you are aware of a member of your household or relative submitting a planning application or any form of planning related application (including tress) or building regulations to either councils; they should note their relationship to you and your name and job title on the relevant form or covering correspondence.
- Advising someone on any type of planning or building regulation application or planning matter (enforcement/policy) to be submitted to either council, even if you are not able to affect the outcome. This is because it could be perceived that you have some influence on the determination of the application/planning matter.
- You / a member of your household / a relative, submit any feedback supporting or objecting to any type of planning application or any related planning matter including requesting a planning enforcement investigation or commenting on policy) administered by the councils.

If you intend charging a fee to assist with a planning application or related planning matter (including planning enforcement or policy) or building regulations in a local authority area other than South Oxfordshire or Vale of White Horse you must get advice from a Planning Development Manager or the Head of Planning before doing so, and declare any fees received on the register of interests.

### 3.7 Gifts and hospitality

The Local Government Act 1972 makes it clear that council staff should not receive or give any gift, loan, fee, reward, or advantage nor show any favouritism in exchange for carrying out your work. The below section relates to gifts from external providers (e.g. agencies) and is not relevant for personal gifts from colleagues etc.

If you are offered a gift or hospitality, you need to balance the councils' impartiality with the relationship you have with those making the offer. The main consideration in deciding whether to accept is whether public confidence in you or the councils could be affected if your acceptance became public knowledge.

The value of the gift will also impact on your decision; generally, if it appears to be worth £50 or under (such as a box of chocolates), you may accept it without declaration. However, you should still consider the motivation behind the offer and whether the gift itself is appropriate before accepting. If you are in any doubt, you should decline it. If you are within the Planning Service, please refer to your line manager for guidance on gifts prior to acceptance, regardless of value.



If the gift appears to be worth more than £50, this needs to be declared to the council/s, regardless of whether it is accepted or not. Declarations should be made within 28 days of receiving the offer of a gift/benefit. Details of how to do so can be found in section 4.2.

All information can be viewed externally through Freedom of Interest requests, and you will need to be comfortable that you could justify your decision to accept it to the councils, the press, or the public.

There will be occasions when it will be acceptable to accept a gift or offer of a higher value and some examples are given below:

- gifts given to you as gifts to the council rather than to you as an individual, for example a raffle prize for a council charity function. If you receive a gift for the council, you should pass it to the Chair of the Council or their assistant who will decide on whether to accept the offer.
- a discount offered by a company or organisation to local government employees.
- an event it would reasonably be expected that the councils would be represented at
- a working lunch or hospitality at an event you are attending as a representative of the councils, providing that it assists with business being conducted.



## 4 Procedure

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### 4.1 Declaring interests

You can declare an interest on Jarvis [on the Register of Interests](#).

- You will be prompted to log in before completing the page; this is the same login as used for your PC.
- Complete the details are requested, providing as much detail regarding your declaration of interest as possible.
- Your manager will need to approve your entry and may confer with your head of service.

Specifically in relation to procurements, you can find further information on conflicts assessments on Jarvis.

### 4.2 Declaring gifts

You can declare gifts on Jarvis [on the Register of Gifts and Hospitality](#).

- You will be prompted to log in before completing the page; this is the same login as used for your PC.
- Complete the details are requested, providing as much detail as possible regarding your declaration.
- Your manager will need to approve your entry and may confer with your head of service.