

## RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PERSONNEL COMMITTEE

---

meeting date: 7 JUNE 2023  
title: BUSINESS AND PERSONAL INTEREST POLICY AND CODE OF CONDUCT  
submitted by: DIRECTOR OF RESOURCES AND DEPUTY CHIEF EXECUTIVE  
principle author: DAWN EVANS-STOREY

### 1 PURPOSE

- 1.1 To create a clear and consistent process for Officers to request a Business and Personal Interest.
- 1.2 To update the Code of Conduct
- 1.3 To create a Business Interest and Personal Interest Policy which details how to apply and the process by which an application will be considered.
- 1.4 Relevance to the Council's ambitions and priorities:
  - Corporate Priorities – To ensure a well-managed council.
  - Other Considerations – This policy is intended to complement the Council's Employee Code of Conduct and Disciplinary Procedures and offers guidance for all Officers with regards to best practice and the need to preserve integrity and demonstrate good governance.

### 2 BACKGROUND

- 2.1 Our Code of Conduct currently requests that Private Work (Business Interest) should not be undertaken if it could conflict or have a detrimental effect on the Council's business.
- 2.2 Personal Interests (non-financial) require Officers to declare in writing to the Chief Executive any interests that may bring conflict.
- 2.3 This demonstrates two different approaches to a process.
- 2.4 Members Business or Personal Interests are considered by a formal process managed by the Head of Legal and Democratic Services.

### 3 ISSUES

- 3.1 Currently the process is to declare an interest meaning there is no corporate decision-making process.
- 3.2 There is no application or decision process detailed for this determination to take place.
- 3.3 Officers are only made aware of this requirement after they have started employment with us. This should be detailed as part of terms and conditions of employment.
- 3.4 There is no process in place to consider that if staff move to a new role within the council, their Business Interest should be reviewed in line with the requirements of the new role. This needs to be built into the movement offer letter.

## 4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – None
- Technical, Environmental and Legal – None
- Political – None
- Reputation - The Policy has been written to protect the Officer as much as to protect the Council. The intention of the policy is to ensure that the Council can demonstrate that no undue influence has been applied or could be said to have been applied by any supplier or anyone else dealing with the Council.
- Equality and Diversity – None

## 5 CONCLUSION

5.1 There needs to be a consistent approach for approval of business interests. These should be coordinated and submitted to CMT for approval. These could then be recorded on a Register of Business Interests by HR

5.2 New employees need to be advised about requesting approval for any business and personal interest prior to them taking up employment. This should be detailed within the new Statement of Particulars (SOPs).

5.3 When staff move from one role to another their offer letter needs to include a paragraph stating, "The Code of Conduct for staff in relation to private work and personal interests' states that all employees are required to submit a request to undertake any other work, whether it be of financial or non-financial interest. If you are uncertain on any area of this, please discuss this with your director".

5.4 It is necessary to create a Council Business and Personal Interest policy. A suggested policy is attached Annex 1. The code of conduct also needs to be updated to reflect this. This is attached at Annex 2.

## 6 RECOMMENDED THAT COMMITTEE

6.1 Agree that all Business Interest requests are submitted to CMT for approval.

6.2 Agree that new employees and also internal employees when their job changes are advised about requesting approval for any business and personal interest prior to them taking up their new employment.

6.3 Approve the Council Business and Personal Interest policy as attached at Annex 1.

6.4 Approve the Update to the Code of Conduct in respect of the Council Business and Personal Interest policy as attached at Annex 2.

HEAD OF HR

P14-23/DE/AC  
2 May 2023

DIRECTOR OF RESOURCES  
AND DEPUTY CHIEF EXECUTIVE

BACKGROUND PAPERS

- Revised Code of Conduct
- Business and Personal Interest Policy

For further information please ask for Dawn Evans-Storey extension 4402



Ribble Valley  
Borough Council

---

[www.ribblevalley.gov.uk](http://www.ribblevalley.gov.uk)

**COUNCIL EMPLOYEES REGISTERING  
A BUSINESS AND PERSONAL  
INTEREST POLICY**

## CONTENTS

POLICY ADMINISTRATION .....	3
POLICY OWNERSHIP .....	3
VERSION CONTROL AND REVIEW DATE .....	3
EQUALITY IMPLICATIONS .....	3
SUPPORTING DOCUMENTS OR LEGISLATION RELATING TO THIS POLICY .....	3
COUNCIL EMPLOYEES REGISTERING A BUSINESS AND PERSONAL INTERESTS POLICY .....	4
Appendix 1 Declaration and Application form.....	<b>Error! Bookmark not defined.</b>

## POLICY ADMINISTRATION

### POLICY OWNERSHIP

For any queries about this policy, please contact the plan owner.

<b>Department</b>	Resources		
<b>Owner</b>	Dawn Evans-Storey	<a href="mailto:dawn.evans-storey@ribblevalley.gov.uk">dawn.evans-storey@ribblevalley.gov.uk</a>	01200 414402
<b>Committee</b>	Personnel		

This policy is maintained and published on behalf of Ribble Valley Borough Council. A copy of this policy will be published on the Council Intranet and will be reviewed and updated as stated below.

### VERSION CONTROL AND REVIEW DATE

Version	Date	Reason for Publication	Approved by Committee / Date	Review Date
V1.0	28/03/23	Review of the policy	Personnel Committee / June 2023	June 2026
V1.1				
V1.2				

This policy will be reviewed, as a minimum, on an annual basis. However, consideration should be given to reviewing the policy should there be any changes in legislation or guidance. The policy/procedure owner will ensure the document is reviewed as stated.

### EQUALITY IMPLICATIONS

	Action	Yes
An Equality Impact Assessment (EIA) has been completed		
<b>EIA Hyperlink</b>		

### SUPPORTING DOCUMENTS OR LEGISLATION RELATING TO THIS POLICY

Please include any supporting documents / legislation
1. Employee Code of Conduct
2. Whistleblowing Policy
3. Anti-Fraud Policy
4. Disciplinary Procedure

## COUNCIL EMPLOYEES REGISTERING A BUSINESS AND PERSONAL INTEREST POLICY

1. This policy is intended to complement the Council's Employee Code of Conduct and Disciplinary Procedures and offers guidance for all Officers with regards to best practice and the need to preserve integrity and demonstrate good governance. It has been written to protect the Officer as much as to protect the Council. The intention of the policy is to ensure that the Council can demonstrate that no undue influence has been applied or could be said to have been applied by any supplier or anyone else dealing with the Council.
2. Officers of the Council are bound by specific rules, codes of conduct and protocols, as are Members. Officers shall seek to uphold and enhance the standing of the Council by:
  - Maintaining a high standard of honesty and integrity in all their business relationships.
  - Complying with the law, regulations and the Council's own policies and procedures.
3. The best interests of the Council should always be the paramount consideration and you must not allow any business or personal interest to influence your decisions.
4. You must not offer advice or guidance or participate in or influence any decision-making process where you have a private interest, or a member of the public may reasonably think you have a private interest.
5. You should always act for the benefit of the Council and not to further your own interests or the interests of others who do not have a right to benefit under Ribble Valley Council's policies.
6. It is always best to seek a second opinion as to the appropriateness of any interests held outside the Council that may be construed as influential, leading to favouritism. By registering the business interest, you have, it is then open to scrutiny if necessary. It cannot later be alleged that the interest held, was a secret or 'underhand' in any way, with an ulterior motive.
7. Your interest may be a financial one or one which a member of the public might reasonably think could influence your judgement. In addition, close family members or people living in your household may have financial interests in the work of the Council. This includes indirect connections such as sponsorship. All such interests must be declared to your director in writing, which in turn will be considered by the Corporate Management Team.
8. If you are a member of an organisation or a club, and membership might result in a conflict of interest or could reasonably be perceived by a member of the public as creating a possible conflict of interest in relation to any aspect of your work with the Council, then you must declare this membership to your director. This applies equally to membership of organisations or clubs or secret societies which are not open to the public.
9. Personal interests that may impinge or might reasonably be deemed by others to impinge on an employee's impartiality or conflict with the duty owed to the Council should be declared in writing. Where you declare a private interest or membership of an organisation or club any interests outside work, or anything that may lead to allegations of bias or favouritism; whether it is financial or political, should be declared.

10. Under Section 117 of the Local Government Act 1972, Directors/Chief Officers and Heads of Department must declare in writing to the Chief Executive any financial interest which they, their spouse or civil partner may have in any existing or proposed contract with the Council. Failure to make such a declaration is a criminal offence. This must be declared and updated every 12 months.

11. Under sections 1110 and 1120 of the Public Sector Internal Audit Standards (PSIAS) internal auditors must demonstrate organisational independence and evidence of an impartial unbiased attitude to avoid conflict of interest. This must be declared and updated every 12 months.

12. You should declare such interests using the Business and Personal Interest Declaration Guidance and Form. The completed form will be considered by the Corporate Management Team and held on your personal file and the fact that you have declared an interest may be disclosed to Officers or members of the Council if necessary.

13. No private work can be undertaken during work for the Council, or on the Council's premises, or by using Council's equipment without the prior written approval of the Chief Executive or appropriate director.

14. If in the course of work with the Council staff create a copyright work that work becomes the property of the Council. Similarly, if in the course of work staff create a patentable invention, or create a design capable of registration, then this will also become the property of the Council and staff will be required to co-operate in the registration formalities.

15. Any breach of this policy and the associated codes of conduct could lead to disciplinary action being taken.

16. Any Officer who is aware of any business dealings conferring personal gain, or involving relatives or associates of a member of staff must supply these details to a director. The Council's Whistle Blowing Policy can be used to divulge such information in confidence.

17. The Council's Monitoring Officer and Accounts and Audit Committee will inspect the register of Business and Personal interests annually, and the information will be retained by Human Resources for a period deemed necessary to demonstrate good governance and to address any allegations of misconduct accordingly.



Appendix 1 Declaration and Application form

**Some useful links**

Employee Code of Conduct	<a href="http://intranet/downloads/Code_of_Conduct_for_Staff.pdf">http://intranet/downloads/Code_of_Conduct_for_Staff.pdf</a>
Whistleblowing Policy	<a href="http://intranet/downloads/Whistleblowing_Policy_July_2016.doc.pdf">http://intranet/downloads/Whistleblowing_Policy_July_2016.doc.pdf</a>
Anti-Fraud Policy	<a href="http://intranet/downloads/Anti_Fraud_Policy.pdf">http://intranet/downloads/Anti_Fraud_Policy.pdf</a>
Disciplinary Procedure	<a href="http://intranet/downloads/Disciplinary_Procedure.pdf">http://intranet/downloads/Disciplinary_Procedure.pdf</a>

## Appendix 1

### **APPLICATION FOR BUSINESS AND PERSONAL INTEREST**

Name	
Department	
Date	

What is your name of the company in which you have a Business/Personal Interest?	
What is your role/position in the Interest?	
From what date did your Business Interest commence (date of involvement or association)	
Detail the Interest and what responsibilities are undertaken in your role	
Is this a financial or non-financial interest?	
Number of hours involved/worked	
Please confirm if this does/doesn't impact on your day-to-day role with RVBC.  If you are already undertaking the Interest, please explanation how it does/doesn't impact with your current role or will/ wont impact on your new role (if applicable)	
You understand that RVBC is your primary employment, and you cannot undertake this interest during the hours you are working for the Council.	
Your combined working hours will/will not break working time regs. If it does you will opt out of WTD	
Do you believe there is a conflict of interest or not? Explain further	
Who will you come into contact with whilst undertaking these duties?	

## **Revision of Code of Conduct and supplementary Policy**

### **9. Business and Personal Interests**

9.1 Personal interests that may impact or might reasonably be deemed by others to impact on an employee's impartiality or conflict with the duty owed to the Council should be declared in writing.

These could be an officer's interests outside work, membership or affiliations to societies or clubs, business interests etc., anything that may lead to allegations of bias or favouritism; whether it is financial or political, should be declared.

9.2 Employees must also declare any financial or non-financial interests that they consider could bring about conflict with the Council's interests, for instance:

- membership of an organisation receiving grant aid from the Council.
- membership of an organisation or pressure group which may seek to influence the Council's policies.
- having a beneficial interest in property or land which is within the Council's district and is subject to any Council business e.g., subject to housing benefit / planning application etc.
- a financial interest (directly or indirectly) in a contract which the Council is about to enter into (or has already done do). This applies to an employee who is a member, a partner or an employee of a company or organisation party to a contract.

### **10. Declaring an Interest**

Employees who have an interest, financial or non-financial, should not involve themselves in any decision or allocation of Council services or resources from which they, their friends, persons to whom they owe (or are owed) an obligation, or family might benefit and should ensure that the matter is referred immediately to their line manager. The details should then be passed to the Head of Human Resources to be entered onto the Council's Register.

For further information see the Business and Personal Interest Policy.