

APPENDIX 1

**Service
Policy
Instruction**



HEREFORD & WORCESTER
HWFR
FIRE AND RESCUE SERVICE

Register of Staff Interests

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Executive Summary

Hereford & Worcester Fire Authority (the Authority) is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, working for a public authority means we all have responsibilities to maintain these standards.

This policy applies to anyone working for or on behalf of the Authority.

It brings together the requirements relating to:

- conflicts of interests;
- disclosure of interests in contracts; and
- gifts and hospitality

It also sets out a list of contacts where further advice can be obtained.

Alternative Formats

If you require this document in another format please contact the Human Resources and Development Department.

Risk Critical Information (if applicable)

N/A

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Register of Staff Interests

1. Introduction

- 1.1 Working for a public authority means we all have responsibilities to maintain the highest possible standards of openness, probity and accountability. All staff have a legal obligation under the Local Government Act 1972 to give notice of any interest they have in a contract or proposed contract with the Fire Authority, whether or not it is something they are dealing with personally. **Failure to give notice of such interests can be a criminal offence**
- 1.2 In addition, all staff have a responsibility under the Employees' Code of Conduct to perform their duties with honesty, integrity, impartiality and objectivity. Under the Code of Conduct all employees have an obligation:
 - i. not to allow their personal interests to conflict with the Authority's requirements; and
 - ii. not to use their position improperly to confer an advantage or disadvantage on any person.
- 1.3 All employees must comply with any requirements of the Authority by registering such interests. This policy sets out these requirements to ensure a consistent service-wide approach to conflicts and potential conflicts of interests. This policy explains how employees must notify the Authority of any interests that are in conflict with those of the Authority and the Service.

2. What is a conflict of interest?

- 2.1 As employees we all have a duty to act in the best interests of the Fire Authority. However, there may be occasions where your duty to the Fire Authority is or could be compromised by an external or personal interest. Such circumstances can create a conflict or potential conflict of interest.
- 2.2 Even if you believe that an external interest is not influencing your ability to act for the Authority, a conflict can exist if circumstances create the perception that you *may* be influenced or that you *may* have used your position to give someone an advantage or disadvantage regardless of whether you have actually been compromised.
- 2.3 For example, you could be perceived as having a conflict of interest if:
 - someone close to you works for or has a financial interest in a company which has submitted a quote as part of a procurement exercise, even if you are not directly involved in awarding the contract; or
 - someone close to you has applied for a job with the Service, even if you are not directly involved in the recruitment or selection process; or

- you have been offered a gift or hospitality from an external company with whom the Authority does business or may do business with in the future.
- 2.4 You must give notice of any interest in a contract or proposed contract with the Fire Authority even if you are not involved in dealing with the matter on behalf of the Service yourself. **Failure to give notice of such financial interests can be a criminal offence**
- 2.5 You are also under the following obligations as set out in the Employees' Code of Conduct:
- i. not to allow your personal interests to conflict with the Authority's requirements; and
 - ii. not to use your position improperly to confer an advantage or disadvantage on any person.
- 2.6 You must inform your line manager, not have any involvement in matters that might give rise to a potential conflict of interest and register the interest.

3. Interests in Contracts

- 3.1. As a specific example of a conflict of interest, you must disclose an interest if you know that a contract, agreement or other transaction has been or is proposed to be entered into by the Authority with:
- i. a member of your close family or someone in your household;
 - ii. a partnership of which you (or a member of your close family/household) are a member;
 - iii. a company in which you (or a close family/household member, to your knowledge) have a controlling interest; or
 - iv. any other person or organisation with whom you are closely associated (do not include charities or other not for profit organisations unless you hold a position of general control or management within the organisation)

4. How do I register my interest?

- 4.1. If you have a conflict of interest, an interest which may be perceived as influencing your ability to remain impartial or an interest in a contract with the Authority you need to complete the declaration form, attached at Appendix 1. You will need to send your completed form to Committee & Members' Services in order that it can be added to the central register and also send a copy to your line manager.

5. Gifts & Hospitality

- 5.1. In the course of your work, you may be offered a modest gift at any time of year from suppliers and/or potential suppliers but especially at Christmas. Simple items such as inexpensive pens, diaries and calendars are often distributed as advertising materials and are perfectly acceptable. However, in accordance with the Service Policy Instruction on Financial Management, all other offers of gifts and/or hospitality must be refused.
- 5.2. In situations where refusal is impossible or might offend staff must inform their line manager who will decide on the appropriate action. Any acceptance must be authorised by your Line Manager before acceptance is confirmed. All offers of a gift or hospitality (other than minor items as mentioned above) must be registered whether or not you accepted it.
- 5.3. In order to register the offer, you must complete the form attached at Appendix 2 and send it to Committee & Members' Services in order that it can be added to the staff register of gifts and hospitality.
- 5.4. The Registers are held by the Monitoring Officer and will be treated as a confidential document which will be open to inspection by senior officers, Authority Members and Auditors.

6. Additional requirements for Senior Officers (SMB)

- 6.1. Senior members of staff should expect to provide a higher degree of transparency about their personal circumstances in order to ensure public and Member confidence in their impartiality when advising or making decisions on behalf of the Authority. At the same time, all staff are entitled to have their privacy respected.
- 6.2. With the above considerations in mind, SMB Members will complete a Register of Officer Interests on an annual basis, similar in nature to the register that members of the Fire Authority complete. The types of interests that need to be registered on this form are those which could potentially give rise to concerns of impartiality in the decision making and the working practices of the Authority.
- 6.3. The Authority's Anti-Fraud, Bribery and Corruption Policy requires senior staff to declare any related party transactions on an annual basis. This reinforces the importance of disclosing any interests in any matter where you or a member of your family or person or organisation with whom you are associated, have a financial interest or a close connection that may conflict with the interests of the Fire Authority. The Register of Senior Officer interests will fulfil the above requirement in future.
- 6.4. The Register of Officer Interests is held by the Monitoring Officer and (unlike the register of member interests) will be treated as a confidential document which will be open to inspection by senior officers, Authority Members and Auditors only.

6.5. Further guidance on registering interests is appended to the form, attached at Appendix 3.

7. Further Advice and Contacts

7.1. You may of course seek advice from:

Monitoring Officer (Head of Legal Services) - Nigel Snape	Hereford & Worcester Fire Authority 2 Kings Court Charles Hastings Way Worcester WR5 1JR Tel: 01905 368242 nsnake@hwfire.org.uk
Deputy Monitoring Officer (Committee & Members' Services Manager) Alison Hughes	Hereford & Worcester Fire Authority 2 Kings Court Charles Hastings Way Worcester WR5 1JR Tel: 01905 368209 ahughes@hwfire.org.uk



**HEREFORD & WORCESTER FIRE AUTHORITY
DECLARATION OF STAFF INTEREST**

Name

I wish to declare the following information in respect of an interest in a contract / other potential conflict of interest

Please attach further sheets as necessary

I recognise that it is an offence under the Local Government Act 1972 and/or a breach of the Employee Code of Conduct and/or a breach of the Authority's Anti-Fraud, Bribery and Corruption Policy to:

1. omit information that ought to be given in this declaration;
2. provide information that is materially false or misleading; and
3. fail to provide written notification to the Authority's Monitoring Officer of any change in my interests contained in this declaration within 28 days of my becoming aware of such a change of circumstances.

Signed

Date

Please return the completed form to Nigel Snape, Head of Legal Services, Hereford & Worcester Fire Authority, 2 Kings Court, Charles Hastings Way, Worcester, WR5 1JR

RECEIVED

Signed
Monitoring Officer, Hereford & Worcester Fire Authority

Date



HEREFORD & WORCESTER FIRE AUTHORITY
GIFTS AND HOSPITALITY OFFERED TO STAFF

Name:.....

Gift/Hospitality Offered By (Name and Address):

.....
.....

Relationship of Gift/Hospitality Provider with the Service e.g. supplier, partner

.....

Details of Gift/Hospitality Offered (including date offered)

.....
.....

Reason for Offer of Gift/Hospitality e.g. offer of thanks for services provided, networking opportunity

.....
.....

Estimated Value of Gift/Hospitality

£

Was the Gift/Hospitality Accepted?

Delete as appropriate.

Yes	No
-----	----

(Acceptance of gift/hospitality must be authorised by Line Manager)

Authorised by..... Date.....

Signed: Date.....

**Please return completed form to:
Committee Services Manager, Headquarters, 2 Kings Court, Charles Hastings
Way, Worcester, WR5 1JR**



HEREFORD & WORCESTER FIRE AUTHORITY

REGISTER OF SENIOR OFFICERS' INTERESTS

Name of Officer:

This form must be completed by all Senior Management Board (SMB) Members within 28 days of appointment and thereafter at least annually.

You must inform the Monitoring Officer within 28 days of any change to your interests occurring.

Under s.117 Local Government Act 1972 officers are required to give notice of any direct or indirect interest in a contract or proposed contract with the Fire Authority.

Failure to give notice of such financial interests may be a criminal offence.

The Employee Code of Conduct also requires staff to register such interests. In addition, the Authority's Anti-Fraud, Bribery and Corruption Policy requires senior staff to declare any related party transactions on an annual basis.

Therefore, you should also disclose an interest in any matter where you or a related party (insofar as you are aware) have an interest or a close connection that may conflict with the interests of the Fire Authority.

A 'related party' means:

- a member of your close family or the same household
- other persons or organisations with whom you closely associated
- any partnership (including an LLP) of which you, or close family member, are a member
- any company in which you or a close family member have a controlling interest
- it does not include charities or other not for profit organisations unless you hold a position of general control or management within the organisation

The Register of Officer Interests is held by the Monitoring Officer and will be treated as a confidential document, open to inspection by senior officers, Members and Auditors.

Further guidance on registering interests is appended to this form.

Please note that you must make a 'nil' return if you have no interests to declare

Contracts

1. Give details of any contract or proposed contract for goods, services or works made between the Fire Authority and you or a related party.

This includes any tenancy where to your knowledge the landlord is the Fire Authority and the tenant is you or a person referred to above* or a body in which you or a person referred to above* has a beneficial interest.

Land

2. Any land in Herefordshire and/or Worcestershire in which
 - you
 - your spouse/partner; or
 - a partnership or company that is a related partyhave a beneficial interest.

Note: This should include:

- your own home
- any land or buildings within the two counties which you, your spouse/partner or a related party company or partnership own, lease, rent, have a licence to occupy for a month or longer or receive a rent from.

<p>Other Work or Business Interests.</p> <p>3. Any employment, office, trade, profession, vocation or business interests carried out for profit or gain other than with the Fire Authority by:</p> <p>(a) you; or</p> <p>(b) a related party if it could involve a potential conflict of interest (or reasonably be perceived as such by others).</p>		
<p>Other Interests</p> <p>4. Any other interests which may conflict with the interests of the Authority that do not fall under any of the headings above.</p>		
Whose interest is it	Name of organisation /Nature of interest	Does the organisation do business with the Fire Authority

I recognise that it may be an offence under the Local Government Act 1972 and/or a breach of the Employee Code of Conduct and/or a breach of the Authority's Anti-Fraud, Bribery and Corruption Policy to:

1. omit information that ought to be given in this declaration;
2. provide information that is materially false or misleading; and
3. fail to provide written notification to the Authority's Monitoring Officer of any change in my interests contained in this declaration within 28 days of my becoming aware of such a change of circumstances.

Signed

.....

Date

Please return the completed form to Nigel Snape, Head of Legal Services, Hereford & Worcester Fire Authority, 2 Kings Court, Charles Hastings Way, Worcester, WR5 1JR

RECEIVED

Signed

Monitoring Officer, Hereford & Worcester Fire Authority

Date

Guidance to Officers on Registering Pecuniary Interests

You are required to give notice of any pecuniary interests that also affect you indirectly. If you are aware of any pecuniary interests of your husband, wife, civil partner or of any person with whom you are living as if husband and wife or as civil partners which affect you in your role with the Authority, you must provide notice of it. You are not required to provide the name of your spouse/civil partner.

Section 1: Contracts

In this section enter details of any current contracts or proposed contracts between the Fire Authority and firms of which you or your spouse/partner are a partner, or a corporate body where you or your spouse/partner are a director or shareholder. The date of the contract and a brief description of the goods, services or works included in the control will normally be sufficient. Unlike the general shareholdings in section 1, even small shareholdings in a Fire Authority contractor will count.

Details are also needed of any land owned by the Fire Authority and which is rented or leased to you and/or your partner/spouse or to any bodies in which you and/or your partner/spouse are a partner or director in a body in which you have an interest declared under this section.

Section 2: Land

Please give details of any land in Herefordshire and/or Worcestershire in which you have a beneficial interest. You will need to specify any property including your home or any land or buildings from which you receive rent or of which you are a mortgagee or which you lease. Land includes any buildings or parts of buildings. This includes joint ownership and any land needs to be described so as to be identifiable.

Please also give details of any land in Herefordshire and/or Worcestershire for which you and/or your partner/spouse have a licence (alone or jointly with others) to occupy for a month or longer.

Sections 3: Other Work or Business Interests

If you undertake any other employment, office, trade, profession, vocation or business interests carried out for profit or gain for a person or body to which the Authority is or is likely to be contracted you must give notice of it. This includes any such work undertaken by your spouse/civil partner as this is likely to affect you indirectly.

If you have a financial interest in this area; enter the name of your and/or of your partner's employer and the nature of the employment, office, trade, profession or vocation.

Section 4: Other Interests

Please set out details of any other interests which might conflict with the interests of the Authority but do not fall under any of the headings above. You should also disclose an interest in any matter where you or any member of your family or person or organisation with whom you are associated has an interest or a close connection that may conflict with the interests of the Fire Authority.