

Introduction

The purpose of this document is to provide guidelines for the identification of posts where there is a “high risk” of a perception of conflict of interests arising. Directors assess posts against three criteria to establish whether the duties of the post are more likely to place the post-holders in a position where conflicts of interest may occur:

1. posts that give significant advice or speaking for the council,
2. posts where there is significant authority to make decisions, and
3. posts with significant discretion over spending.

1. Significant advice or speaking for the council

Politically restricted posts by definition involve either giving advice to the Council, committees, or the Executive; or speaking on behalf of the council. All politically restricted posts should therefore be included. Directors may choose to include other posts where they believe that they are giving a similar level of advice, albeit that the posts have not been deemed to be politically restricted, for example because they are advising an outside body.

2. Significant authority to make decisions

This includes any post with delegated decision making authority (i.e. where the post is given authority in the council’s constitution), and also those posts which have authority to take decisions under a sub-delegation scheme. (Where the sub-delegation is partial, or has conditions attached, Directors need to consider whether there the post-holder has significant discretion, and the nature of the decisions, in deciding whether the post should be pro-actively checked for interests.) Directors may choose to include other posts where staff are taking decisions with minimal oversight which have a significant impact. Minor decisions, for example, the order in which non-time-critical work is done, would not require pro-active checking.

3. Significant discretion over spending

This includes activities such as procurement, purchasing, ordering etc. Small amounts of authority, e.g. ordering relatively small amounts of stationery form a list of approved suppliers would not, in itself, warrant inclusion. Officers exercising significant spending discretion should be included. The exact amount that is “significant” is at the discretion of the Director.

Directors may also choose to identify other posts as “high risk” if there is a risk of perception of conflict of interests arising.

Employees in positions identified as being “high risk” are contacted annually by the BSC to complete register of interest forms. However, all employees who may have a conflicting interest should also complete these forms.