

OFFICER CODE OF CONDUCT**1.0 INTRODUCTION**

- 1.1 This Code of Conduct is aimed at ensuring that employees are aware of the standards of behaviour expected of them by Leeds City Council (LCC).
- 1.2 The public is entitled to expect the highest standards of conduct from all employees who work for Leeds City Council.
- 1.3 Individuals are responsible for ensuring that they are aware of the Code and that they comply with its requirements. Line managers are responsible for ensuring that subordinates have been made aware of the provisions of this Code of Conduct.
- 1.4 Failure to observe the standards set out in this Code may be regarded as serious and any breach will render an employee liable to disciplinary action, which may include dismissal. The disciplinary procedure is shown at Appendix 13 to the Local Conditions of Employment. The list of actions which will be regarded as misconduct, which is contained within the disciplinary procedure, is not exhaustive.
- 1.5 All employees have a Common Law duty of loyalty to their employers and any failure to fulfil this duty will be treated as a breach of this Code of Conduct. This means that whilst the Code will not specifically cover every eventuality, employees should be aware that conduct which most people would consider as unreasonable or disloyal will be treated as a breach of the Code. Such actions that would normally be obviously disloyal to most people will be considered as breaches of the Code; e.g. an employee who is shown to have publicly made derogatory or slanderous remarks about other employees or Members, would be in breach of the Code even though such activities are not specifically listed.
- 1.5.1 Employees may very well have legitimate roles to carry out: as Trade Union representatives; community action group representatives; tenant committee members etc. These roles may involve such staff in taking part in public meetings, making statements to the press etc. acting on behalf of their particular group. Employees should make clear the capacity in which they are speaking or making statements etc. In this capacity, the employee should exercise great care in presenting the facts of the case in order to avoid personal opinions which may be damaging to the Council or derogatory or slanderous remarks about other employees or Members. Paragraph 15 of this Code specifically refers to contact with the press and media.

1.6 Impropriety/Breach of Conduct

It is the duty of each employee to report to the Internal Audit Division - see Financial Regulation FR 6.3 - In accordance with Financial Regulation 6.3, whenever a matter arises which involves, or is thought to involve, irregularities concerning cash, stores or other property of the Council or any suspected

irregularity, including unofficial funds, the respective departmental director shall immediately notify the Head of Audit.

2.0 STATUTORY PROVISIONS

- 2.1 Under Section 117 of the Local Government Act 1972 an employee must give notice to the Council of any pecuniary interest he/she has in any contract whether it has been or is proposed to be entered into by the Council. Such a declaration should be made to his/her Departmental Chief Officer who must also inform The Chief Officer. Such a declaration must be made as soon as an employee becomes aware of the possibility of any such conflict arising or indeed that may be perceived/ construed as arising -see paragraph 9.1.
- 2.2 Section 117 requires that “an officer shall not, under colour of his office or employment accept any fee or reward whatsoever other than his/her proper remuneration”.
- 2.3 An officer who contravenes the provisions of Section 117 shall be liable on summary conviction to a fine not exceeding £1,000.
- 2.4 Section 2 of the Prevention of Corruption Act 1916 provides that where it is proved that anyone holding or seeking a contract with a public body has made a payment to an employee of that body, the payment shall be deemed to be corrupt unless the contrary is proved.

3.0 GENERAL CONDUCT/BEHAVIOUR

- 3.1 Because public confidence, and that of the Council, would be shaken if the least suspicion, however ill-founded, that an employee could in any way be influenced by improper motives were to arise, it is not enough to avoid actual impropriety and officers should at all times also avoid any occasion for suspicion of the appearance of improper conduct. Accordingly, employees must not accept gifts, entertainment, hospitality or any benefits of any kind from firms or people connected with those firms with whom the Council may, whether directly or indirectly, be in actual or potential contractual or business relationships. This applies to those benefits which are for the employee(s) themselves and those connected with the employee(s) and whether received in connection with official duties or not. All offers of such benefits must be refused. This includes accommodation, travel, food, drink, entertainment, hospitality, presents and all similar benefits. It also includes the acceptance of goods or services from a firm on preferential terms for private purposes if these terms were given either directly or indirectly because of the contractual or other official relationship either potential or actual between the firm and the Council. The only possible exceptions are set out below, but it is emphasised that they should be accepted only where to refuse them would inhibit the normal business activities of the Council. Each officer is personally responsible for any decision to accept such offers and for any possible criticism that may follow. If in doubt he/she should refuse, or insist on paying for himself/herself, or refer to the Departmental Chief Officer.

3.1.2 **Gifts May Only be Accepted in the Following Circumstances**

Those gifts which are of a modest kind, such as a calendar, diary, blotter or other inexpensive item of office equipment, and which can be regarded as in the nature of advertising matter, can be accepted. Such gifts must bear the name or insignia of the firm concerned. All other gifts must be politely but firmly refused. If received through the post they must be returned immediately to the donor with a suitably worded covering letter.

3.1.3 **Meals or Refreshments May Only be Accepted in the Following Circumstances**

- (i) Only such meals or refreshments as are a necessary part of the business in hand and which are immediately and directly connected with and wholly incidental to Council business can be accepted. Even then, they must be of a modest kind and wherever possible the officer should pay for himself/herself.
- (ii) Such meals or refreshments as are connected with a public or semi-public occasion, such as an opening ceremony associated with new premises in which the Council have an interest such as owners or partners in the scheme and where the officer attends in an official capacity as representative of the Council and obtains prior authorisation from the appropriate officer*.

3.1.4 **Offers of Accommodation or Travel Which May be Accepted**

Only where practically unavoidable, of a modest kind and necessarily and wholly incidental to the business in hand, such as a lift for a short distance to a site where the officer concerned has no other means of transport.

3.1.5 Visits to inspect land, buildings, machinery, goods or services where the Council bear the expense and the appropriate officer* has given prior approval.

3.1.6 **Conferences and Seminars etc.**

If the Council pays the fee for a conference, seminar or the like, then there is no requirement to make an entry in the REGISTER OF GIFTS AND INTERESTS (see appendices). If no fee is paid, offers of seminars and the like that include some form of refreshment and that are rejected, need not be recorded in the REGISTER. All offers for which no fee is paid and for which an offer is accepted, must be recorded in the register. All offers for which no fee is paid and where the seminar includes another event, function or overnight stay, must be recorded. All offers of a significant nature must be recorded - a degree of judgement is required in determining significance. **In deciding the significance of an offer, the potential recipient should take**

into consideration various factors including; the financial value of the offer; the imminence of any relevant contractual matters/arrangements; any legal action/public enquiries; any Council decisions (pending or otherwise). This list is not exhaustive

***NOTE:- This person will normally be the Departmental Chief Officer(DCO)/ Director in the case of an employee other than a DCO or Director. DCOs and Directors are expected to exercise their own judgement in such matters but may be answerable to Members or The Chief Officer in this regard.**

3.2 Disclosure of Gifts and Hospitality

All offers of gifts and or hospitality, with the exception of the minor items outlined in 3.1.2 above, must be recorded in the register of gifts and hospitality using a copy of the form shown at Appendix 1

4.0 DISCLOSURE OF INFORMATION

- 4.1 This Council believes that open government is best. The law requires that certain types of information must be available to Members, auditors, government departments, service users and the public. The Council itself may decide to be open about other types of information. Employees must be aware of which information they are authorised to release and to whom. If an employee has any doubts as to whether or not an item of information should be released then they should politely refuse to offer the information and refer the matter to their line manager or other person who has a line management responsibility for them. Employees should also be aware of the provisions of the Data Protection Act 1984 and the Access to Personal Files Act 1987.
- 4.2 Any particular information received by an employee from a Councillor which is personal to that councillor and is not held by the Council on documents available for public scrutiny, should not be divulged by the employee without the prior approval of that councillor, except where such disclosure is required or sanctioned by the law.
- 4.3 **'Insider Dealing' -Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way**, e.g. where an employee of the Council who in the course of their employment becomes aware of information (which is not in the public arena i.e. is confidential), which could impact upon the performance of a business or other corporate identity, such information must not be passed on to any third party who does not have a legitimate right of access to that information. Where an employee is in doubt as to the issue of a right of access to such information then they should refer the matter to a senior officer of their department or to the Internal Audit Division on ext. 4645 or write to Department of

Finance (Exchequer Audit), Leeds City Council, Civic Hall Annexe, Leeds, LS1 1JF. All information will be treated in confidence by the officer(s) concerned. The

information must not be disclosed unless the Internal Audit Division have agreed that it is 'safe to do so'. - For further information see Appendix 3

5.0 POLITICAL NEUTRALITY

- 5.1 Employees serve the Council as a whole. It follows they must serve all councillors and not just those of the controlling group, and must ensure that the individual rights of all councillors are respected.
- 5.2 Employees should not usually be called upon to advise any political group of the Council either in regard to the work of the group or of the Council. Neither should employees be required to attend political group meetings except that in exceptional circumstances the Chief Officer or Departmental Director may give advice. All other employees must receive clearance from the Director of their department.
- 5.3 Where employees are required to advise political groups, they must do so in ways which do not compromise their political neutrality.
- 5.4 Employees, whether or not politically restricted, must follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work.
- 5.5 Political assistants appointed on fixed term contracts in accordance with the Local Government and Housing Act 1989 are exempt from the standards set in paragraphs 5.1 to 5.3. The Council's policy concerning Politically Restricted posts as defined by the Act is set out as Appendix 43 to the Local Conditions of Service.

6.0 RELATIONSHIPS

6.1 Councillors

Employees are responsible to the Council through its senior managers. For some, their role is to give advice to councillors and senior managers and all are there to carry out the Council's work. Mutual respect between employees and councillors is essential to good local government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors and should therefore be avoided.

6.2 The Local Community and Service Users

Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community and as defined by the policies of the Authority.

6.3 Contractors

Employees should make known to their Departmental Chief Officer, all relationships of a business or private nature with external contractors or potential contractors. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. This information should be

given to the Chief Officer or nominated representative, using a copy of the form 'REGISTER OF EMPLOYEES' INTERESTS' as shown at Appendix 2.

6.4 Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to their departmental director. This information should be given to the Chief Officer or nominated representative, using a copy of the form 'REGISTER OF EMPLOYEES' INTERESTS' as shown at Appendix 2.

6.5 In all cases, employees should declare any interests/relationships as soon as is practicable.

7.0 APPOINTMENT AND OTHER EMPLOYMENT MATTERS

7.1 Employees involved in appointments should ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have any personal relationship outside work with him or her.

7.2 Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner, etc.

8.0 OUTSIDE COMMITMENTS

8.1 All employees have contractual obligations with the Council and should not take outside employment which conflicts with the Council's interest.

8.2 All employees graded above spinal column point 28 of the NJC scheme of conditions of service for Local Government Employees are required to obtain consent of the Council, by applying to their Departmental Chief Officer, to take outside employment.

8.3 No outside work of any sort, whether paid or unpaid, should be undertaken in the office and the use of facilities (typist, telephone, computers, photocopier, etc.) is forbidden for such purposes.

8.4 Employees should be aware that all literary, dramatic, musical or artistic work (including (as an example) but not limited to documents, computer programs, photographs, drawings, recordings or graphic work) which is produced by the employee in the course of their employment with the Council is the copyright of the Council in accordance with S11(2) of the Copyright Design and Patents Act 1988. Accordingly, employees must not do anything which in any way would constitute an infringement of the Council's copyright in any literary, dramatic musical or artistic work. Employees must use all reasonable endeavours to ensure that they do not do anything which would constitute an infringement of the copyright of any third party whilst in the course of their employment with the Council.

9.0 PERSONAL INTERESTS

9.1 Employees must declare to their Departmental Chief Officer any non-financial interests that they consider conflict with the Council's interests, for example, if they are involved in an official capacity with an outside organisation which has dealings with the Council, e.g. grant requests. Such a declaration must be made as soon as an employee becomes aware of the possibility of any such conflict arising or indeed that may be perceived / construed as arising. A good test is for the employee to ask himself/herself whether others would think that the interest is of a kind to make this possible. If the employee thinks this is so or is in doubt then the information should be given to the Chief Officer or nominated representative, using a copy of the form 'REGISTER OF EMPLOYEES' INTERESTS' as shown a Appendix 2

9.2 Employees must declare to The Chief Officer any financial interests which could conflict with the Council's interests, e.g. work for which a fee is received. This information should be given to The Chief Officer or nominated representative, using a copy of the form 'REGISTER OF EMPLOYEES' INTERESTS' as shown at Appendix 2

9.3 Employees should declare to the Council, via the Chief Officer, membership of any secret societies. The definition of "secret society" is as follows:

"Any lodge, chapter, society, trust or regular gathering or meeting which:

- is not open to members of the public who are not members
- includes in the granting of membership a requirement of the member to make a commitment (whether by oath or otherwise) of allegiance
- includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy in regard to rules, membership or conduct."

9.4 Declaration of Interest - Freemasonry

The Council has resolved that this Council believes that in the interest of free and open government that any member of the Freemasons be obliged to declare their interest, and to this end:

Officer Code of Conduct

- (i) instructs The Chief Officer to make arrangements so that all Council Members who are Freemasons declare the membership in a register of interest: and
- (ii) instructs The Chief Officer to establish an employees' register of interest in which all who are Freemasons declare their membership.

A register of interest is available in the room of the Members Services Officer for those employees involved. The responsibility for bringing this resolution to the notice of departmental employees rests with Departmental Chief Officers.

- 9.5 Where employees have declared an interest in regard to paragraphs 9.3 & 9.4, the information should be given to The Chief Officer or nominated representative, using a copy of the form 'REGISTER OF EMPLOYEES' INTERESTS' as shown at Appendix 2.

10.0 EQUALITY ISSUES

- 10.1 The Council is an equal opportunities employer and all employees are under an obligation to ensure that policies relating to equality issues, are complied with and that they do not unlawfully discriminate on the grounds of race, sex or disability.
- 10.2 All members of the local community, customers and other employees have a right to be treated with fairness and equity.

11.0 SEPARATION OF ROLES DURING TENDERING

- 11.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the Council. All such employees must ensure that their actions are in accordance with the Standing Orders with respect to contracts. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- 11.2 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- 11.3 Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.
- 11.4 Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

12.0 CORRUPTION/FRAUD & THEFT

- 12.1 It is a serious criminal offence for employees corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If an allegation is made, it is for the employee to demonstrate that any such rewards have not been corruptly obtained.
- 12.2 Where an employee has any suspicions that Council employees or any other individuals are involved in potentially fraudulent or corrupt activities, or theft, then they must in the first instance report these suspicions to either a senior employee (graded EO or above) within their department. If an employee feels unable to do this then they should contact Internal Audit, Corporate Services on ext 74371 or write to Internal Audit, Corporate Services, Leeds City Council, 2nd Floor West, Civic Hall, Leeds, LS1 1UR. All information will be treated in confidence by the officer(s) concerned.

13.0 USE OF FINANCIAL RESOURCES

- 13.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Council.

14.0 SPONSORSHIP - GIVING AND RECEIVING

- 14.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
- 14.2 Where the Council wishes to sponsor an event or service, neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to the appropriate Departmental Chief Officer of any such interest. Similarly where the Council through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

15.0 CONTACT WITH THE PRESS AND MEDIA

- 15.1 Unless specifically nominated and authorised by The Departmental Chief Officer concerned, employees are not permitted to give reports or speak to the press and media on matters relating to employment with the Council, Council business or decisions of the Council. In the main, the Chief Officer, Executive Directors, Departmental Chief Officers and Senior Assistant Directors will be responsible for dealing with the press and media. Employees with a responsibility for dealing with the press and media should guard themselves against declaring a view 'whilst acting in their official capacity' which is contrary to a position taken by the Council or which may be deemed to be critical of that position.

Officer Code of Conduct

- 15.2 In the event of an industrial dispute involving a Trade Union, an elected representative of that Trade Union may be called upon by the press or media to comment on the dispute. Where a decision is taken by that Trade Union organisation to respond, the employee should exercise great care in presenting the facts of the case in order to avoid personal opinions which may be unreasonably critical of the Council, other employees or Members. Employees in this position should make clear the capacity in which they are speaking. Employees concerned about their position should consult with full time Union Officials.
- 15.3 In all circumstances, employees are under a general duty of care to avoid a situation arising where they are shown to be acting in conflict with the best interests of the Council and should not criticise, damage or act in any way against the best interests of the Council (see proviso's at paragraph 1.5.1). Should this occur, and
- 15.4 the employee is found to have acted unreasonably then they may be subject to disciplinary penalties following agreed procedures. Paragraph 1.5.1 refers.

APPENDIX 1

REGISTER OF HOSPITALITY AND GIFTS

GUIDANCE NOTES FOR EMPLOYEES COMPLETING THE REGISTER OF GIFTS AND HOSPITALITY

1.0 INTRODUCTION

- 1.1 These guidelines are intended to help employees complete the Register of Gifts and Hospitality forms. Examples of the forms are attached; the Notification of an Offer form is referred to as Form A and the Register of Hospitality and Gifts form is referred to as Form B.
- 1.2 As a general principle, if employees are in any doubt, they should complete Form A. (Your Personnel Section will assist you if you have any questions).

2.0 DEFINITION OF GIFTS AND HOSPITALITY

- 2.1 Gifts and hospitality, including meals or refreshments, accommodation or travel and conferences or seminars are defined in the Code of Conduct. Indeed, the Code of Conduct outlines specific instances in which an offer need not be registered. Employees should refer to this document to resolve any dispute about whether an offer needs registering. However, employees should note that a good test is to ask whether others would think that the acceptance of the offer could compromise the employee's position. If the answer is yes, or even possibly, the offer should be politely but firmly rejected.
- 2.2 This note relates specifically to those offers requiring approval, as outlined in the Code of Conduct.

3.0 COMPLETION OF FORM A

- 3.1 Departmental Chief Officers must ensure that supplies of Form A are available at all appropriate establishments within their department. Having decided that a Form A must be completed the following procedures should be followed.
- 3.2 The name of the employee receiving the offer should be entered in the first box. If the offer was made to more than one employee, the names of all employees involved should be entered, unless this is impracticable due to the number of employees involved. If this is the case, the collective name of the employees should be recorded, for example, the name of the section.
- 3.3 The date the offer was made should be recorded in the Date Offer Made box.

Officer Code of Conduct

- 3.4 Details of the offer should include as many details as possible. This includes precise details of the offer and, if relevant, details about the circumstances that lead to the offer being made and accepted or rejected. The way in which the offer was made should also be specified. For example, was the offer made in person, over the telephone, by letter or by any other means.
- 3.5 The box “offer made by” should be used to record the name of the individual or individuals making the offer, if known.
- 3.6 If the individual(s) making the offer represents an organisation, the name of the organisation should also be recorded in the relevant box.
- 3.7 The relevant box should be ticked, either to show that the offer was rejected or that the offer has been forwarded to the Departmental Chief Officer for approval. If the employee proposes to accept the offer, a justification must be included that must say why it was appropriate or necessary to accept the offer. This should take into account the factors outlined in the Code of Conduct. It is anticipated that acceptances will be rare. *It should be noted that there is no provision for offer to be accepted without the express approval of the Departmental Chief Officer.*
- 3.8 The name of the employee completing the form should then be entered in the “completed by” box. It is anticipated that in the majority of cases, the person receiving the offer will be the person completing the form. However, there may be instances where an offer is reported by a third party. This may be necessary on occasions where the person receiving the offer decides, for whatever reason, not to notify the Departmental Chief Officer of the offer.
- 3.9 The form should then be sent to the Departmental Chief Officer. If the offer has been rejected, the Departmental Chief Officer must arrange for the central register, Form B, to be completed and need take no further action with Form A. Form A should then be filed.
- 3.10 However, if the proposal is that the offer should be accepted and the Departmental Chief Officer agrees that it is appropriate to accept the offer, the form should be signed and a copy forwarded to the employee submitting the request. The original Form A should be retained by the Departmental Chief Officer for filing. In addition, the details should be included on Form B.
- 3.11 If, on the other hand, the Departmental Chief Officer does not agree with the justification provided, the Departmental Chief Officer must take appropriate action. Appropriate action will depend on the individual circumstances of each case, as each case must be judged on its own merits, and therefore cannot be specified in advance. However, as a minimum the Departmental Chief Officer must return a copy of the form to the employee(s) concerned indicating why acceptance has not been approved. Again, the original should be retained for filing.

- 3.12 If the offer is made to the Departmental Chief Officer, the same procedures apply. The only exception is that offers accepted by Departmental Chief Officers do not need to be approved by more senior officers in other departments or officers within the group of committees or by politicians. The Departmental Chief Officer must use their judgement to decide whether the offer should be accepted.

4.0 COMPLETION OF FORM B

- 4.1 Form B must be completed with the details contained on all Form A's submitted to the Departmental Chief Officer. The separate sections on Form B should be sequentially numbered. Good practice suggests that the Departmental Chief Officer should nominate an employee as responsible for completing Form B. Consideration should also be given to nominating a substitute who shall complete Form B's in the event of the absence of the nominated officer.
- 4.2 The register date is the date on which details are entered on Form B.
- 4.3 The details of the offers, including the names of the employee(s) that received the offer and the organisation making the offer, per Form A should be transferred to Form B. As comprehensive details of the offer as possible should be entered on the form.
- 4.4 If the offer has been rejected by the employee receiving the offer, Form B should be endorsed with an "R", for rejected. If the Form A is requesting approval by the Departmental Chief Officer, an "R" or an "A" should be entered, ("A" for accepted), depending on the decision of the Departmental Chief Officer. If the offer is approved for acceptance the Departmental Chief Officer should add comments in the comments box. The comments should provide justification for the acceptance. This could include the justification given on Form A, or a different justification, as appropriate.
- 4.5 Periodically, but at least every six months, the Departmental Chief Officer must review the Form B register. The review should seek to identify any unacceptable trends or situations that require further investigation. The Departmental Chief Officer must decide on appropriate action. Unacceptable trends could, for example, relate to individual firms making "excessive" offers. In conducting the review, Departmental Chief Officers should be mindful of:
- 4.5.1 Section 117 of the Local Government Act 1972 requires that an employee shall not, under colour of their office or employment, accept any fee or reward whatsoever, other than their proper remuneration.
- 4.5.2 Section 2 of the Prevention of Corruption Act 1916 provides that where it is proved that anyone holding or seeking a contract with a public body has made a payment to an employee of that body, the payment shall be deemed to be corrupt unless the contrary is proved. That is, the onus is to prove that the payment is not corrupt, not that it is corrupt.

LEGAL SERVICES
Register of Hospitality & Gifts
 Notification of an Offer

Section A (for completion by employee)		
Name:	Post Title:	Section:
Date Offer Made:		
Offer made by:		
Company/Body providing the gift/hospitality (if different from above)		
Details of offer		
(Tick appropriate box)		
<input type="checkbox"/> I have rejected the offer <input type="checkbox"/> Seek approval to accept the offer from the Assistant Chief Executive (Corporate Governance)		
If you seek approval to accept the offer, please give your justification for doing so:		
Signed:	Date:	

Section B (for completion by the Assistant Chief Executive (Corporate Governance))		
I hereby: <input type="checkbox"/> Note the contents <input type="checkbox"/> Approve the request <input type="checkbox"/> Do not approve the request		
Comments:		
Signed:	Date:	

Section C (for completion by Personnel Section)		
Details entered in the register	<input type="checkbox"/> Copy provided to employee	<input type="checkbox"/>
Registration No:	<input type="checkbox"/>	
Signed:	Date:	

**REGISTER OF HOSPITALITY/GIFTS ETC - EXEMPLIFICATION
DEPARTMENT OF LEGAL SERVICES**

No	Register Date	Employee(s)	Offer/Circumstances/Date	Organisation	Accepted/ Rejected	Assistant Chief Executive (Corporate Governance) signature
						Comment (If accepted)
1						
2						
3						
4						
5						
6						
7						

REGISTER OF EMPLOYEES' INTERESTS

As a general principle, employees should err on the side of caution and declare interests that they think could be covered by the following guidance, see notes for guidance overleaf. Assistance can be sought from your Personnel Officer in the first instance if any clarification is required.

NAME:	DEPARTMENT:	DATE:	PAY NO:
INTEREST	DETAILS		
1. Governor of educational establishment			
2. Involvement with organisation receiving grant aid from the City Council (including close relatives)			
3. Involvement in companies (state company and position) (including close relatives)			
4. Relationships to an officer graded Senior Officer or above or a Member			
5. Membership of secret societies as defined by LGMB			
6. Beneficial interest in land or property			
7. Intent to bid for land or property owned by the Council			
8. Others (please specify)			
Applicable to employees employed in a position responsible for letting or supervising contracts or selecting suppliers or contractors, including those relating to investments: Holding of shares or other securities, excluding banks and building societies (state name of company/body, declaration of size or nature or holding is not necessary)			

See notes for guidance overleaf

SIGNATURE:		DATE:	
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Register of Employees' Interests; Notes for Guidance

As a general principle employees should err on the side of caution and declare interests that they think could be covered by the following guidance. Assistance can be sought from your Personnel Officer in the first instance if any clarification is required.

A close relative is defined as a spouse, parent, sibling, son, daughter or common law partner.

1. Membership of Governing Bodies, including all schools maintained by the authority, all further education establishments and all grant maintained schools.
2. Involvement could be either paid or unpaid.
3. Involvement in companies includes, for example, directorships and company secretary, or any other position where a person is actively involved in the running of a company's affairs, where the company has, or may have, a contractual relationship with the Authority.
4. Relationship to an officer graded senior officer or above or a Member. Relationship is interpreted to be a close relative, as defined above.
5. Secret societies are defined by the Local Government Management Board, it is recommended that this definition is used to determine whether a declaration should be made. The LGMB use the following definition:

'any lodge, chapter, society, trust or regular gathering or meeting, which:

- (a) is not open to members of the public who are not members of that lodge, chapter, society or trust
- (b) includes in the grant of membership an obligation on the part of the member a requirement to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, gathering or meeting; and
- (c) includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

A lodge, chapter, society, trust, gathering or meeting as defined above, should not be regarded as a secret society if it forms part of the activity of generally recognised religion'.

6. Beneficial interest in land or property excludes the employee's own dwelling and only relates to land and property within the authority's boundary.
7. The intention to bid for the purchase of land or property owned by the Council should be made as soon as is practicable. Section 117 of the Local Government Act also requires that the interest be declared to the Departmental Chief Officer who shall also inform The Chief Officer.

Officer Code of Conduct

8. Please specify interest and nature of interest.
9. The holding of shares or other securities, in a company or other body with whom the authority contracts or is considering contracting, must be declared if the holding exceeds £25,000 or more than 1/100th of the nominal value of the issued share capital, whichever is less. The size and nature of the holding need not be declared, simply the name of the company. This requirement does not extend to banks or building societies.

INSIDER DEALING

- * Insider Dealing was first made a criminal offence by the Companies Act 1980. The reason for this was to protect public confidence in the market and to prevent those with inside knowledge cheating others in their dealing with them. The old law was criticised for being complex, now, insider dealing is covered by Part V of the Criminal Justice Act 1993.
- * There are 3 types of insider dealing:
 - * Actual dealing
 - * Encouraging others to deal
 - * Disclosing inside information
- * There are 2 types of insider:
 - * Primary insider who has the information because of their status
 - * Tippee
- * For information to be classified as inside information all the following criteria must be satisfied.
 - * The information must relate to a particular security or issuer of securities and not to securities generally
 - * The information must be specific or precise
 - * The information must not have been made public
 - * If the information is to be made public, the information would significantly affect the share price
- * Defences against accusations of dealing or encouraging others to deal are:
 - * A profit was not expected
 - * The information has been widely disclosed enough
 - * The individual would have acted in the same way even if they did not have the information
- * Defences against accusations of disclosing are:
 - * The discloser did not expect anyone to deal
 - * The discloser did not expect the deal to result in profit
- * The internal policing of inside information is currently not built into any fraud strategies. There are no existing strategies that lend themselves to incorporate arrangements for identifying inside information.