



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

# Employee Code of Conduct

<b>Version</b>	<b>Date</b>	<b>Action</b>
Version 1		
Version 2	July 2018	Review & Amend
Version 3	January 2020	Review & Amend
Version 4	January 2021	Review & Amend
Version 5	March 2021	Minor Amendment
Version 6	September 2023	Review & Amend

# 1. Introductions and Definitions

- 1.1 The National Assembly for Wales made Order 2001/2280 The Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001 in exercise of the powers conferred upon it by sections 82(2) and 105(1) of the Local Government Act 2000[1]. This order came into force on 28th July 2001. This Order applies to Neath Port Talbot County Borough Council (“the Council”).
- 1.2 Employees are accountable to, and owe a duty to the Council. They must act in accordance with the principles set out in this Code, recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.
- 1.3 The Council’s values of being connected, caring, collaborative and confident support this code, by providing further guidance in relation to how employees need to conduct themselves in the workplace.
- 1.4 Employees are required to read this Code and clarify any questions they may have with their manager. Please note that a breach of the standards set out in this Code will be dealt with through the Council’s Disciplinary Procedure and could result in formal action up to and including dismissal.
- 1.5 For the avoidance of doubt this Code of Conduct does not apply to Teachers within the meaning of Section 82(2) of the Local Government Act 2000 but applies to all other employees of the Council.
- 1.6 For the avoidance of doubt, the term ‘Accountable Manager’ applies to any manager who directly reports to a Head of Service.

# 2. General Principles

- 2.1 The public is entitled to expect the highest standards of conduct from all employees. The role of such employees is to serve their employing Council in providing advice, implementing its policies, and delivering services to the local community. In performing their duties, they must act with integrity, honesty, impartiality and objectivity.
- 2.2 If an employee becomes aware of activities which they consider to be illegal, improper, unethical or otherwise inconsistent with this Code, they must report it to their manager (or next appropriate manager) as soon as possible. Information on [whistleblowing](#) is also available on NPT Connect.
- 2.3 Responsibility is placed on every employee to disclose to an appropriate manager any potential conflict of interest which may affect them in their job role.
- 2.4 Employees must not misuse their position, Council information or any Council resources or equipment to further their own or others personal interests.
- 2.5 All employees must also cooperate with any requirement made by the Monitoring Officer (Head of Legal Services) or any other relevant officers in connection with an investigation into fraud, corruption or malpractice.

### 3. Confidentiality and Disclosure of Information

- 3.1 Openness in the dissemination of information and decision-making should be the norm in the Council. However, certain information may be confidential or sensitive and therefore not appropriate for a wide audience. Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone other than a Councillor, Council employee or other person who is entitled to receive it, or needs to have access to it for the proper discharge of their functions.
- 3.2 The law requires that certain types of information must be made available to Councillors, auditors, Government departments, service users, and the public, in certain circumstances.
- 3.3 All employees must familiarise themselves regarding which information the Council is able to be open about, and is not able to be open about, and act accordingly. If in any doubt, employees must check with their manager prior to the release of the information.
- 3.4 Any information received by an employee from a Councillor which is personal to that Councillor and does not belong to the Council should not be divulged by the employee without the prior approval of that Councillor, except where such disclosure is required as required by the law.
- 3.5 Letters written to or by employees in their position as representatives of the Council are the property of the Council.
- 3.6 Personal data obtained in the course of employment should always be treated confidentially and only be disclosed in accordance with data protection legislation or other legal or Council requirements.
- 3.7 Employees must not use any information obtained in the course of their employment for personal gain or benefit, nor should they knowingly pass it on to others who might use it in such a way.
- 3.8 Information on [data protection](#) is available on NPT connect.

### 4. Political Neutrality

- 4.1 Employees serve the Council as a whole. It follows that 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.
- 4.2 Some employees may be requested to advise political groups. If this is the case, they must do so in a manner which does not compromise their political neutrality as employees.
- 4.3 All employees, must follow every lawfully expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work.

- 4.4 Where employees are in politically restricted posts they must comply with any statutory restrictions on their political activities. Please refer to [\(Link Political Restrictions\)](#) for further information
- 4.5 All other employees must also consider whether they should undertake political activities outside these restrictions which may create a conflict of interest.

## 5. Declarations

5.1 You are required to make declarations in respect of Gifts and Hospitality, Interests and Additional Employment/Work, as part of your contract of employment.

5.2 For declarations:

For the avoidance of doubt, in the cases of school support staff, please substitute Head of Service/Accountable Managers for Head Teacher.

For gifts and hospitality,

You must use the form in **Appendix A where you are a:**

- Director/Head of Service – declarations should be made immediately when an instance arises. Should there be no instances to declare through the year, a nil return should be provided annually, at year end.
- Accountable Manager - declarations should be made immediately when an instance arises. Should there be no instances to declare through the year, a nil return should be provide annually, at year end.
- All other employees – declarations should be made as and when any instances arise of interest

You must use the form in **Appendix B where you are a:**

- Director/Head of Service – declarations should be made annually at year end and a new declaration made immediately should your circumstances change
- Accountable Manager – declarations should be made annually at year end and a new declaration made immediately should your circumstances change
- All other employees – declarations should be made as and when any instances arise of interest

*For secondary employment **Appendix C** shall be utilised in the following circumstances:*

- Directors/Heads of Service – declarations should be made immediately when an instance arises. Should there be no instances to declare through the year, a nil return should be provide annually, at year end.
- Accountable Managers - declarations should be made immediately when an instance arises. Should there be no instances to declare through the year, a nil return should be provide annually, at year end.

- All other employees – declarations should be made as and when any instances arise of additional employment/work.
  - Any declaration must be made as soon as is reasonably possible. In some instances this will mean declaring prior to or at the commencement of your employment.
  - In other instances you will need to make a declaration during your employment, or when you change roles within the Council.
- 5.3 Please refer to **Appendix D**, which outlines the process for making declarations, and also the monitoring process of these declarations.
- 5.4 Employees will need to declare the above with their Head of Service or Accountable Manager. Further details are outlined later in this procedure.
- 5.5 When a Head of Service needs to make a declaration, then the declaration must be made to their Corporate Director, or other Director in their absence, and any relevant authorisation obtained.
- 5.6 When a Director needs to declare something, then this must be made to the Chief Executive, or the Monitoring Officer in his/her absence, and any relevant authorisation obtained.
- 5.7 When the Chief Executive needs to declare something, then this must be made to the Monitoring Officer, or in his/her absence the Deputy Monitoring Officer, and any relevant authorisation obtained.
- 5.8 If an Employee occupies a Politically Restricted Role (whether Specified or Sensitive (Please refer [\(Link Political Restrictions\)](#) for further information)) then gifts or hospitality from Councillors should not be accepted unless sanctioned by the appropriate Head of Service.

## 6. Relationships

- 6.1 Employees should deal with the public, Councillors and other employees sympathetically, efficiently, and without bias. Further guidance regarding the nature of relationships can be found in **Appendix E**. Employees should act all times in accordance with the requirements of the Equality Act 2010 by not treating people differently or unfairly on the basis of their gender, sex, age, race, disability, sexual orientation, pregnancy, marital status or religion.
- Allegations of harassment and/or bullying will be dealt with in accordance with the Council's [Dignity at Work Policy](#).
- 6.2 Where the Monitoring Officer is undertaking an investigation in accordance with regulations made under section 73(1) of the Local Government Act 2000(9) an Employee must comply with any requirement made by that Monitoring Officer in connection with such an investigation

## 7. Equality, Diversity & Inclusion

- 7.1 We want to attract and retain a diverse workforce to deliver better outcomes across a range of services and can respond to the range of needs of the citizens of Neath Port Talbot and is reflective of the people we serve.
- 7.2 The Council aims to provide a safe working environment where employees are treated fairly and with respect. As an employer, we're committed to ensuring equality of opportunity, fair treatment for all colleagues and to building a more inclusive culture which values and celebrated the diverse nature of the workforce.
- 7.3 All our colleagues are entitled to be treated with dignity and respect in the workplace. Discrimination, bullying, victimisation or harassment of any kind is not tolerated.
- 7.4 All our managers have an important leadership responsibility to promote dignity and respect in the workplace and take steps to advance equality and address concerns in their service area.

## **8. Corruption**

- 8.1 Employees must be aware that it will be deemed, under the Bribery Act 2010, to be a criminal offence to offer, promise or give a bribe. It will also be an offence to request, agree to receive, or accept a bribe. This will constitute gross misconduct and place the employee at risk of criminal sanctions as well as disciplinary proceedings.

## **9. Use of Financial Resources and Other Resources**

- 9.1 Employees must exercise due probity and responsibility in accordance with the Council's Financial Regulations, Contract Procedure Rules and Accounting Instructions & Guidelines in the use of public resources.
- 9.2 They must ensure value for money at all times and seek to avoid legal challenge to the Council. Employees must ensure expenditure is authorised appropriately and obtain proof of spending in accordance with the Council's policies.
- 9.3 Resources must be used in accordance with Council requirements and not for any personal benefit or the interests of any political party or group
- 9.4 This will apply, for example, to the use of transport, secretarial assistance, stationary, equipment and information.

## **10. Gifts, Hospitality and Financial Inducements**

- 10.1 A potential source of conflict between private and public interests is the offer of gifts, hospitality or benefits in kind to employees in connection with their official duties. At all times an employee must consider whether the gift or offer of hospitality would lead a member of the public to question whether their dealing with a matter may be prejudiced by a gift.
- 10.2 On no account shall an employee accept any financial payment or other inducement from any person, body or organisation, e.g. contractors, developers, consultants etc. unless authorised by the Council. Section 117 of the Local Government Act 1972 makes

it an offence for an employee of Neath Port Talbot Council to accept any fee, gift, loan or reward whatsoever, other than his or her proper remuneration.

- 10.3 It is important that employees do not accept any gifts or hospitality for themselves, or on behalf of others, which would place them under obligation or appear to do so. Accepting such gifts or hospitality could be regarded as compromising employee objectivity when employees make decisions or carry out the work of the Council. This is also true of any services or gifts in kind. This does not prevent employees from attending official events such as a civic reception or working lunch where these are authorised by the Council. Similarly if employees receive a free pen from a course etc.
- 10.4 There may be exceptions for gifts which are of value up to a maximum of £5 and are usually given to a wide range of people, e.g. pens, diaries, calendars etc. Any more substantial gift should be returned officially with a suitable letter unless specifically sanctioned by an appropriate Head of Service. For school based staff, school governing bodies are expected to outline their own parameters for such gifts or hospitality.
- 10.5 If an Employee occupies a Politically Restricted Role (whether Specified or Sensitive (Please refer [\(Link Political Restrictions\)](#) for further information)) then gifts or hospitality from Councillors should not be accepted unless sanctioned by an appropriate Head of Service
- 10.6 All gifts offered (*except those of value up to a maximum of £5 as indicated above*), whether accepted or refused, must be recorded within the Directorate and signed by the appropriate Head of Service. If in doubt seek advice from your manager.
- 10.7 Normally, visits to exhibitions, demonstrations, inspection of equipment, conferences, business meals, social functions etc. by employees in connection with their official duties will be at the Council's expense to avoid jeopardising the integrity of subsequent purchasing decisions. In some instances, however, it may be to the benefit of the Council to accept the hospitality of outside agencies, organisations, or individuals, where representation serves the Council's interest. This will be a decision for the appropriate Head of Service to make – **authorisation must be sought in advance**. If it is decided to accept the invitation, the reason for the meeting and the form the hospitality takes must be declared. If in doubt seek advice from your manager.
- 10.8 When accepting or receiving authorised hospitality, employees and managers should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality.
- 10.9 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where attendance has been authorised in advance and where the Council is satisfied that any purchasing decisions are not compromised.
- 10.10 If any employee is in any doubt over the offer of financial inducement, gifts or hospitality, they should refer the matter to their Manager.
- 10.11 The onus is on employees to declare offers of gifts and hospitality (*see Section 4*). If in doubt seek advice from your Manager.



10.12 The following checklist of questions may help to determine if an offer of hospitality or gift should be accepted or tactfully rejected:

- Is the donor or event significant in the community or in your Council's area?
- Is there an expectation that a Council representative attends because of their role?
- Will the event be attended by others of a similar standing in the community or in other communities?
- What is the motivation behind the invitation?
- Would acceptance of the invitation be, in any way, inappropriate or place an employee under pressure in relation to any current or future issue?
- Could the decision to attend be justified to the Council, press and public?
- What is the hospitality or the nature of the gift and is it reasonable and appropriate in all of the circumstances to accept?
- What are the concerns about accepting the hospitality?

Employees should note that this is a non-exhaustive list and is merely a supportive resource to provide an indication of the types of issues that should be considered. Further clarity should be sought from the Accountable Manager if the employee has any concerns.

10.13 The issue of gifts from service users is covered in **Appendix E**.

## 11. Personal and Other Interests/Involvements

11.1 Interests or involvement which could conflict with the interests of the Council could be either financial and/or non-financial for example:

- Partnership in a business.
- Work done for any person or organisation other than as an employee of the Council.
- Serving as a member of a group, committee, or board which may work in conflict with the Council.
- Applications submitted by relatives or friends for consideration by the Council, i.e. tendering for work.
- School Governor within the Neath Port Talbot locality.

11.2 If any employee has a personal interest in any matter which arises at any meeting where the employee is reporting or advising (*or might be called upon to advise, or otherwise be able to influence*) any Councillor(s) of the Council, or any third party, the employee must declare the interest, and take no part in the consideration or determination of the matter. Any such declaration made at an official meeting will be recorded in the minutes. If appropriate, arrangements should be made for another employee to attend and report and/or advise on the matter. An example would be involvement in a meeting regarding a school, which their son or daughter attends.

11.3 If an officer has a personal interest which could conflict with the interest of the Council, then they may only remain in the meeting and participate in the proceedings, if the person presiding at the meeting (*having taken advice from the Monitoring Officer*) is satisfied that to do so would be in the interest of the Council or local people.

## 12. Additional Employment/Work

- 12.1 For all additional/secondary employment or private work, both outside of the work done as an employee of the Council and including additional contracts within the Council whereby individuals provide services to a different service area by way of contract for services, employees **must** obtain the written permission of the Council. **Appendix C** can be used to make a relevant declaration.
- 12.2 Employees should be clear about their contractual obligations to the Council and must not undertake additional/secondary employment, or involvement, which may conflict with or detract from the interests of the Council.
- 12.3 Where an employee is appointed as a Director of a company or a board or committee member of any other organisation, where the appointment or invitation to serve arises out of employment with the Council, then these must also be declared. These Directors must also declare any conflicts of interest, as and when these arise.
- 12.4 Employees need to be aware that any information they have gained in the form of intellectual property, copyright or work in any form which they have carried out or created and which has arisen from them undertaking their duties as an employee of the Council belongs to the Council and, therefore, cannot be sold or lent to any other person or organisation without the written permission of the appropriate Head of Service, in consultation with the Monitoring Officer.
- 12.5 If an employee is absent from their substantive role due to sickness then it is not ordinarily expected that the employee will be well enough to work in a second job. This is unless they provide a fit note and the nature of the illness does not impact on their capability to carry out the duties of their second post with the Council.
- 12.6 If it is found that the employee has worked in a second job whilst absent from the Council due to sickness then it may be considered gross misconduct and result in disciplinary action. This is in line with the Council's [Maximising Attendance at Work Policy](#).
- 12.7 If the employee considers that the nature of his/her sickness is such that s/he cannot work in one job, but can work in the second job (maybe because of differing physical demands) then the employee must contact their manager(s) to discuss this **before** proceeding to work in the second job.
- 12.8 The Council will not allow the employee to carry out work in a second job if it considers that doing so will impede the recovery time from the sickness, and hence delay the return to work in this organisation. Secondary employment includes running your own business, voluntary work, undertaking an official role (e.g. Justice of the Peace or Election duties) or receiving a profit from the pursuance of a hobby.
- 12.9 Employees are obliged to inform the Council of **any** secondary employment regardless of length of contract or remuneration in additional posts. For example, if an employee is undertaking work on a temporary basis, even for free, employees are expected to let their manager know.
- 12.10 Employees must notify their manager that they have reported sick in their other position. In these circumstances, managers must seek advice from Human Resources.

12.11 Employees are not permitted to carry out private trading in relation to goods, services or any form of intellectual property on the Council's premises nor may they do so elsewhere whilst on Council duties.

## **13. Voluntary Work**

13.1 Volunteering is when you choose to give your time to help others without being paid for it.

13.2 Where an Employee undertakes voluntary work which results in day to day contact with children or vulnerable adults then notification must be given to their manager

13.3 While volunteer work for an organisation or charity is not considered as secondary employment, you should consider any potential conflicts of interest with your role within the Council before taking up the activity.

13.4 Employees must gain consent from the Council should any of their voluntary responsibilities fall within their usual working hours.

13.5 Employees should note that voluntary work is subject to the working time directive and therefore employees cannot work more than 48 hours a week on average.

## **14. Recruitment and Selection of Staff and other Associated Employment Matters**

14.1 The Council's Recruitment and Selection Code of Practice, and other relevant policies, must be applied when recruiting to any vacant post. This will ensure appointments are made on merit and the most appropriate person is recruited.

14.2 In order to avoid any possible accusation, or appearance of bias employees must not be involved in any selection process where they are related to an applicant or, have a close personal relationship outside work with the applicant.

14.3 Similarly, employees must not be involved in any decisions on discipline, grievance, promotion, or pay for any employee who is an immediate relative, partner, friend or person in respect of whom the employee's involvement could reasonably be perceived to be prejudicial or biased.

## **15. Professional Registration Requirements**

15.1 In addition to this Code, certain roles within the Council, for example those within education and social care, are also governed by externally set registration requirements and professional standards of conduct. It is employees' responsibility to ensure that they are registered with the appropriate body, that this registration is kept up to date, and that they continue to adhere to the expected standards.

15.2 If an employee fails to meet and maintain these registration requirements and standards, this may result in disciplinary action, up to and including dismissal, being taken by the Council in accordance with the Council's Disciplinary Procedure.

15.3 Additionally, the Council is required to comply with certain duties to notify external registration bodies of issues concerning misconduct and/or disciplinary action taken. Where this occurs, colleagues concerned would be notified by the Council.

## 16. Declaration of Criminal Offences

16.1 All employees must declare any criminal offence for which they have been charged or prosecuted to their Head of Service, that is either reportable to their professional body or standards body, or which could either:-

- bring the Council into disrepute, or
- result in them being unable to undertake the role for which they are employed (e.g. a driving ban), or
- may result in a prison sentence

16.2 Upon receipt of this information, the Head of Service will review the impact of this information upon the contract of employment with a view to giving consideration as to what support, if appropriate or necessary, might be provided to the employee and whether the declaration requires further investigation to establish if there is a potential disciplinary issue. Where an issue may be potentially gross misconduct, a risk assessment must be undertaken to establish whether the employee should be suspended.

**16.3 *Failure to declare or accurately declare relevant offences will result in disciplinary action.***

## 17. Conduct Outside of Work

17.1 All employees must ensure that their actions outside of work do not bring the Council into disrepute and do not impact upon their ability, be it perceived or otherwise, to undertake their role. This is inclusive of all work related social gatherings such as Christmas parties or leaving events for staff.

17.2 Inappropriate conduct outside of work, which is either illegal, improper, or unethical, will therefore breach the Employee Code of Conduct. Examples of such conduct may include the following, which is not meant to be a definitive list:-

- Inappropriate use of social networking sites in terms of relationships or comments.
- Drugs related offences.
- Giving inappropriate medical treatment to a child or protected adult
- Matters of a publicly sensitive and/or inappropriate nature, including abuse (physical, emotional, neglect or sexual), threats or violence.
- Hate crimes
- Theft and fraud
- Using your position to exert influence

Such conduct could result in disciplinary action being taken.

- 17.3 Employees should be aware that under common law police disclosure the police are allowed to use their professional judgement to make disclosures about individuals prior to conviction where they believe there is a risk because of an individual's employment or voluntary role and the disclosure is necessary for public protection. Through this legislation, and through notifications/complaints from the public, we are, on occasion, notified of employee behaviour outside of work and therefore employees are urged to ensure that their actions outside of work do not bring the Council into disrepute and do not impact upon their ability, be it perceived or otherwise, to undertake their role. Therefore it is in the employee's best interest to disclose of any unruly behaviour outside of work to avoid any such disrepute.

## 18. Alcohol and Drugs

- 18.1 The Council is committed to providing a safe, healthy and productive working environment for all colleagues, contractors and customers. This includes ensuring that people are fit to carry out their jobs safely and effectively in a working environment which is free from alcohol, drug and substance misuse.
- 18.2 Being under the influence of alcohol, illegal drugs or other substances during working hours is not permitted. This is inclusive of those working from home/ on a hybrid basis.
- 18.3 Any employee who is found to be unfit to undertake the contractual duties of their role because they are under the influence of alcohol or drugs will be sent home for the remainder of the working day. This is to ensure the highest standards of health and safety for all colleagues.
- 18.4 The matter will then be managed in accordance with the [Council's Drug and Alcohol Policy](#) and appropriate strategies and arrangements will be put in place which offer help and support to employees. However, misuse of substances that impact upon the workplace may also result in disciplinary action, up to an including dismissal, in line with the Council's Disciplinary Procedure.

## 18. Social Media

- 18.1 It is important that employees who use social media in a personal capacity understand the Council's expectations.
- 18.2 When an employee has an online presence, the employee is representing Neath Port Talbot Council and the Council's values.
- 18.3 Further information on the appropriate use of social media and your responsibility is available via the [Social Media Policy](#). Employees who breach the terms of the Social Media Policy may face action under the Council's Disciplinary Procedure.

## 19. Separation of Roles during Tendering

- 19.1 Employees involved in the tendering and procurement process and dealing with contractors must be clear on the separation of both client and contractor roles within the Council.
- 19.2 Some employees may have both a client and contractor responsibility and must be aware of the need for accountability and openness at all times.
- 19.3 Employees who are privy to confidential information on tenders or costs for either internal or external contracts must not disclose that information to any unauthorised party or organisation.
- 19.4 Employees must declare any relationship which may have the potential to conflict with the tendering process or could be perceived by others as a potential reason for bias.
- 19.5 Further information confirming the requirements of employees, can be located [here](#).

## 20. Sponsorship

- 20.1 Where an outside organisation intends, or wishes, to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic rules concerning acceptance of gifts or hospitality apply. Particular care must be taken by employees when dealing with contractors or potential contractors.
- 20.2 Where the Council wishes to sponsor an event or service neither an employee nor any partner, spouse or close relative must benefit from such sponsorship in a direct way without there being full disclosure to the appropriate Head of Service of any such interest.
- 20.3 Similarly, when the Council through sponsorship, grant aid, financial or other means, gives support in the community, employees must ensure that impartial advice is given and that there is no conflict of interest involved.
- 20.4 Should any employee, his or her partner, spouse or close relative(s) benefit from this sponsorship, this must be declared on the form.

## 21. Failure to Comply with the Code of Conduct for Local Government Employees

- 21.1 Any contravention of this Code of Conduct could result (or be taken into account) in disciplinary proceedings.
- 21.2 Should there be a need to undertake an investigation into an employee's standard of behaviour it will be necessary to examine the Registers, attached in Appendix 'A', 'B' and 'C', and any evidence obtained from these sources may, together with any other information, be used to assist with the investigation.
- 21.3 In some instances, declarations or failure to declare, may need to be reported to the police

## 22. Application of the Code of Conduct

- 22.1 The Code embodies general standards of conduct for all employees of the Council. It is recognised, however, that arrangements will need to be made in Directorates to address specific circumstances encountered by employees.
- 22.2 The Register of declarations will be maintained by the secretary of each Director or the Chief Executive.

## 23. Review

- 23.1 This Code of Conduct will be reviewed every 3 years by the Head of Human Resources and Head of Legal Services.

# Declaration/Authorisation

## of Acceptance of Gifts/Hospitality

## Appendix A

Human Resources

### Declaration/Authorisation of Acceptance of Gifts/Hospitality

Please note that if a declaration is submitted electronically via email, this email should be maintained with the declaration for the purpose of proof of integrity.

Name (please print)			
Employee Number			
Directorate			
<b>Section 1 - Declaration</b>			
Details of gift(s)/hospitality/invitation(s) offered. Date of hospitality must be included within the details.			
Estimated value (if possible) of gift(s)/hospitality/invitation(s)			
Name and address of person/organisation making the offer			
Their relationship with the Council			
Offer accepted or gift/hospitality received Yes/No (delete as appropriate)			
I declare that the information given above is correct to the best of my knowledge and belief			
Signed		Date	



<b>Section 2 - Authorisation</b>			
<b>Manager Comments</b>			
<b>Name (please print)</b>			
<b>Signed</b>		<b>Date</b>	

# Register of Business, Financial, Private, Personal and Other Interests/Involvements

Human Resources



## Appendix B

**(To be completed by all employees where there needs to be a declaration, as outlined in this policy or there is a perceived/potential conflict of interest.**

**Please refer to 9.2 of the Procedure.)**

Register of Business, Financial, Private, Personal and Other Interests/Involvements	
Name (please print)	
Directorate	
Employee Number	
Section 1 – Declaration	
<p>I hereby declare the following interests that may be relevant to or be likely to affect my employment with Neath Port Talbot County Borough Council. Please outline nature of the potential conflict of interest in the relevant box.</p>	
<b>1. Business</b>  Name and address and nature of additional business interests.	
<b>2. Consultancy</b>	

<p><b>Name and address of Partnership, Company, firm or other body or individual on behalf of whom consultancy is undertaken and nature of the consultancy, with an indication of frequency or volume of such work.</b></p>	
<p><b>3. Directorships</b></p> <p><b>Name and address and nature of business of each Company or other body of which you are a Director, with an indication of whether it is in a paid or unpaid capacity.</b></p>	
<p><b>4. Partnerships</b></p> <p><b>Name and address and nature of business of each firm with which you are a partner.</b></p>	
<p><b>5. Interests in Land Within the Borough</b></p> <p><b>Address or description of land or property within the County Borough of Neath Port Talbot in which you have an interest, the nature of the interest and the use to which the land is put i.e. if you own a property in the Neath Port Talbot area it should be identified here.</b></p> <p><b>Please note:</b></p> <p><b>(a) Interests as a freeholder or leaseholder for a lease of 12 months or more should</b></p>	

<p><b>be declared (For the avoidance of doubt this includes any property to which you are the legal owner whether individually or jointly);</b></p> <p><b>(b) Interests as an option holder or prospective purchaser should be declared;</b></p> <p><b>(c) Interests by which you are directly concerned in seeking planning permission or some other consent or decision of the Council should be declared;</b></p> <p><b>(d) You need not declare interests in land or property outside the Borough.</b></p>	
<p><b>6. Retainers</b></p> <p><b>Name and address of any organisation to whom you are engaged on a retainer basis and the nature of the retainer.</b></p>	
<p><b>7. Memberships/Associations</b></p> <p><b>List any organisation (including voluntary bodies) with which you have membership/ association, e.g. clubs and societies.</b></p>	
<p><b>8. Relationships</b></p> <p><b>Outline any potential relationships issues where there may be a conflict of interest.</b></p>	
<p><b>9. Further Information/Any Other Declaration</b></p> <p><b>Please give any further information you may wish to record about your business, financial or personal interests.</b></p>	

If in doubt as to whether there is a potential conflict of interest, then please speak to your Manager in the first instance.

**Employee Declaration**

I declare that the above information is correct to the best of my knowledge and belief.

<b>Signed</b>		<b>Date</b>	
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**Section 2 - Acknowledgement**

<b>Manager Comments</b>	
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<b>Name (please print)</b>	
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<b>Signed</b>		<b>Date</b>	
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**Please return to your Director's Secretary and continue on a separate sheet if necessary.**

# Additional Employment/Work



(A separate form must be used for each employment)

## Appendix C

Human Resources

### Details of Additional Employment/Work (outside your employment with the Council)

Additional Employment/Work Form			
<b>Employer</b>			
<b>Nature/Type of Business</b>			
<b>Number of Hours Worked (per week)</b>			
<b>Other Relevant Information</b>	Do you envisage a conflict of interests between this employment/outside practice and your employment with the Council? YES/NO (please delete as applicable) If YES – please outline below		
Section 1 – Declaration			
<b>Please Print Name</b>			
<b>Contact Number</b>			
<b>Service Department</b>			
<b>Job Title</b>			
<b>Payroll Number</b>			
<b>Signed</b>		<b>Date</b>	

Section 2 - Authorisation			
Manager Comments			
Please Print Name			
Signed		Date	

If the total amount of work (in this Council and Outside Employment) you undertake exceeds 48 hours per week, please refer to the Working Time Regulations 1998 <http://www.legislation.gov.uk/ukxi/1998/1833/contents/made> and notify your manager.

Please return to your Director's Secretary.

## Declarations of Officer's Interest – Monitoring

### Authorisation and Maintenance

- ❖ Chief Executive to have his/hers authorised by the DOFCS/Monitoring Officer. CEX secretary to maintain the file.
- ❖ Directors to have theirs authorised by the CEX. Their secretaries to maintain the files.
- ❖ HOS to have theirs authorised by the Directors. Directors' secretaries to maintain their files.
- ❖ Accountable managers to have theirs authorised by HOS. Directors' secretaries to maintain their files.
- ❖ All other staff to have theirs authorised by their Head of Service or accountable manager. Directors' secretaries to maintain their files.

### Frequency of declarations

- ❖ **Directors/HOS** – Declarations should be made immediately when an instance arises and annually for any nil returns.
- ❖ **Accountable Managers** – Declarations should be made immediately when an instance arises and annually for any nil returns.
- ❖ **All Other Staff** – Must provide declarations as and when any instances arise.

### Code of Conduct

- ❖ The Code to be made prominent and easily accessible on the intranet.
- ❖ Regular reminders to be flashed up on the screen.

### Monitoring by Internal Audit

- ❖ Check all Directors/HOS files on an annual basis.
- ❖ Check all accountable manager files on an annual basis.
- ❖ Check a sample of all other staff files on an annual basis.



<b>NATURE OF RELATIONSHIPS</b>
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### Councillors

1. The purpose of this Protocol is to guide Elected Councillors and employees of the Council in their relations with one another in such a way as to ensure the smooth running of the Council. Given the variety and complexity of such relations, this Protocol Does not seek to be either prescriptive or comprehensive. It simply offers guidance on some of the issues which most commonly arise. It is hoped, however, that the approach which it adopts to these issues will serve as a guide to dealing with other circumstances. Both Elected Councillors and employees are involved in public service. However, their respective roles are quite different:
  - ❖ Elected Councillors are responsible to the electorate;
  - ❖ Employees are responsible to the Chief Executive as Head of the Paid Service, and to their respective Corporate Directors.

Individual Elected Councillors are not permitted to give instructions to employees unless specifically authorised to do so by the Council, or by a Committee, or by the Executive.

An employee's job, where it is part of his/her duties, is to provide appropriate advice to elected Councillors with impartiality. Such advice must be given in an equitable manner, irrespective of the political nature of the elected Councillor concerned. At the heart of this Protocol, is the importance of mutual respect. Councillor/Employee relationships are to be conducted in a positive and constructive way. Therefore, it is important that any dealings between Councillor and Employees should observe standards of courtesy and that neither party should seek to take unfair advantage of their position or seek to exert undue influence on the other party

Where an employee feels that s/he has not been properly treated with respect and courtesy by an elected Councillor s/he should raise the matter with his/her Head of Service, Corporate Director or the Chief Executive as appropriate, especially if they do not feel able to discuss it directly with the Councillor concerned. In these

circumstances the Head of Service, Corporate Director or Chief Executive will take appropriate action either by approaching the individual Councillor and/or group leader or by referring the matter to the Monitoring Officer.

A Councillor should not raise matters relating to the conduct or capability of an employee in a manner that is incompatible with the objectives of this Protocol. This is a long-standing tradition in public service. An Employee has no means of responding to such criticisms in public. If a Councillor feels s/he has not been treated with proper respect, courtesy or has any concern about the conduct or capability of an Employee, and fails to resolve it through direct discussion with the Employee s/he should raise the matter with the respective Head of Service. The Head of Service will then look into the facts and report back to the Councillor. If the Councillor continues to feel concern, the s/he should report the facts to the Corporate Director who heads the Directorate concerned, or if, after doing so, is still dissatisfied should raise the issue with the Chief Executive who will look into the matter afresh. Any action taken against an Employee in respect of a complaint, will be in accordance with provisions of the Council's Disciplinary Rules and Procedures.

This Protocol is a local extension of the Members' and Employees' Codes of Conduct. Consequently, a breach of the provisions of this Protocol may also constitute a breach of those Codes

2. Mutual respect between employees and Councillors is essential to good local government and working relationships must be kept on a professional basis. Close personal familiarity between employees and individual Councillors can damage this relationship and prove embarrassing to other employees and Councillors.
3. Many employees necessarily acquire information during the course of their employment that has not yet been made public and is, therefore, still confidential. It is a betrayal of trust to disclose such information and you must never disclose or use confidential information for your own personal advantage or for someone known to you, or if to the discredit of the Council, or anyone else.
4. Where an employee has a grievance about a matter relating to his/her employment, this should be pursued through the agreed grievance procedure with trade union

involvement as necessary - a direct approach to elected Councillors, which interferes with a formal process, is not permitted, and may result in disciplinary action.

5. In addition to the general principles detailed above, the following guidelines have been compiled with the purpose of establishing what does, and what does not, constitute acceptable behaviour:

### **Employees may**

- ❖ Give advice to elected Councillors, where such a requirement is part of their job, on professional and/or operational matters which are within the jurisdiction of their area of responsibility. Employee advice must not extend beyond providing information and advice in relation to matters of Council business. Employees must not be involved in advising on matters of political party business. The observance of this distinction will be assisted if Employees are not present at meetings or parts of meetings, when matters of party business are to be discussed;
- ❖ Respond to individual complaints or queries from elected Councillors and give relevant factual information relating to services with which they are concerned.

### **Employees must not**

- ❖ Let their personal or private interest influence their working relationships with elected Councillors;
- ❖ Act in any way which may result in suspicions of improper conduct arising.

### **Local Communities and Service Users**

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

### **Contractors**

7. All relationships of a business or private nature with external contractors, or potential contractors, must be made known by employees to their Head of Service. Orders and contracts must be awarded on merit and in accordance with the Council's Contract Procedure Rules, and no special favours should be shown to businesses run by, for example, friends, partners or relations in the tendering process. No part of any community within the County Borough should be discriminated against.
8. 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, must declare such a relationship to their Head of Service.

### **Service Users**

9. Employees who are in close contact with service users both in the community and residential settings may find themselves placed in invidious situations for a number of reasons. Where such circumstances arise, employees must not:
  - (a) Accept presents in money or goods for themselves or members of their family;
  - (b) Accept loans of money or goods to themselves or members of their family;
  - (c) Enter into financial arrangements with the service user, e.g. by buying goods from the service user, or selling goods/services; similar restrictions also apply to the employee's family;
  - (d) Assist with the preparation of a Will, or Deeds of Gift.

Adherence to these measures will assist employees to minimise any risk of accusation that undue influence has been exercised by an employee over a service user.

