



## EMPLOYEES’\* CODE OF CONDUCT

[ 2017]

\* *For the purposes of this Code of Conduct, the term “employee” should be read widely. This Code applies to all employees, officers, workers, temporary staff, agency staff, locums, interims, [and consultants] engaged by the Council.*

## **EMPLOYEES' CODE OF CONDUCT**

This Employees' Code of Conduct (the 'Code') sets out the standards that the Council expects of its employees. It aims to provide employees with an effective ethical framework in which to work and to give the citizens of the Borough of Northampton confidence that the Council's staff are working on their behalf in an appropriate manner.

A serious failure to comply with any of the provisions of this Code may result in disciplinary action being taken in accordance with the Council's Disciplinary Framework.

### **SCOPE**

References to 'employees' and 'officers' in this Employees' Code of Code and associated forms should be read widely to include reference to all employees, officers, workers, temporary staff, agency staff, locums, interims, and consultants.

### **Part 1 – APPLIES TO ALL EMPLOYEES**

#### **CORE VALUES**

The following core values in Part 1 of this Code will apply to all employees of the Council.

#### **General principles**

The public are entitled to expect the highest standards of conduct from all Council employees. Council employees must perform their duties to the best of their abilities with integrity, honesty, impartiality and objectivity and contribute to the maintenance of high standards in public service. Employees must at all times act in accordance with the trust that the public is entitled to place in them.

#### **Honesty and Integrity**

Council employees must declare any private interests relating to their duties as an employee of the Council and take all steps to resolve any conflicts arising in a way that protects the public interest.

Council employees should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Council employees must not use their position improperly to confer on or secure for themselves or any other person an advantage or disadvantage.

In all cases it is not enough to avoid actual impropriety. Council employees should at all times do their utmost to avoid any occasion for suspicion and any appearance of improper conduct which would bring the reputation of the Council into disrepute.

## **Accountability**

Employees work for the Council and serve the whole of the authority. They are accountable to and owe a duty to the Council. Employees 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.

## **Political neutrality**

Council employees, whether or not politically restricted, must follow every lawfully expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work.

Employees serve the authority as a whole. It follows that they must serve all Members and not just those of the controlling group, and must ensure the individual rights of all Members are respected.

Where employees are politically restricted, by reason of the post they hold or the nature of the work they do, they must comply with any statutory restrictions on political activities.

Political assistants appointed on fixed term contracts in accordance with the Local Government and Housing Act 1989, although politically restricted, do by the nature of their posts support only one group of the Council's Members. Therefore, a strict duty of political neutrality cannot be practically applied to political assistants given the nature of the role.

## **Respect**

Mutual respect between Council employees and Members is essential to good local government and working relationships should be kept on a professional basis.

Employees should deal with the public, Members and other employees sympathetically, efficiently and without bias.

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 as defined by the policies of the Council.

## **Equality**

Council employees must comply with all policies relating to equality issues, as agreed by the Council, in addition to the requirements of the law.

All members of the local community, customers and other employees have a right to be treated with fairness and equity.

## **Stewardship**

Council 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. Employees must not utilise property, vehicles or other facilities of the authority for personal use unless authorised to do so.

### **Personal interests**

Council employees must not allow their private interests or beliefs to conflict with their professional duty. They must not misuse their official position or information acquired in the course of their employment to further their private interest or the interests of others.

Section 117 of the Local Government Act 1972 requires employees to make a formal declaration about any contract in which they have a pecuniary (financial) interest that has been, or is proposed to be entered into by the Council. It is a criminal offence to fail to comply with the provision. Employees must also declare to an appropriate manager\*\* any financial or non-financial interests or any interest or association with any Council activity, that they consider could bring about a potential conflict with the Council's interests.

Therefore, employees who currently have or who have previously had a relationship in a business, private or domestic capacity with external contractors or potential contractors should declare that relationship to the appropriate manager\*\*.

Similarly, if you or any person living with you, or any member of your family or a personal friend have any interest in a business which has a business relationship with the Council or which is a potential business partner of the Council, or have any interest in a contract/agreement or a potential contract/agreement with the Council, this should be declared. Employees should declare to an appropriate manager\*\* membership of any organisation not open to the public without formal membership and commitment of allegiance, and which has secrecy about rules of membership or conduct.

'Form DOPI', (Declaration of a Personal Interest) which is at Schedule 1 should be used to declare such interests.

Employees should abide by the rules of the Council regarding the declaration of gifts offered to or received by them from any person or body seeking to do business with the authority or which would benefit from a relationship with the Council. In particular, employees should be aware of the need to make appropriate entries in the Council's Officers' Register of Gifts and Hospitality (which is at Schedule 2 as 'Form OGH').

### **Employees must not make official professional decisions about matters in which they have personal involvement.**

After you have identified and declared a personal interest, when that personal interest is or becomes an interest in any matter that the Council is dealing with, or is involved in, you should ensure that you do **not** participate in decision making or otherwise take any actions in relation to that matter, due to the conflict of interest or potential for a conflict of interest or allegations of partiality in decision making to arise. The only exception to this is if your Head of Service or (in the case of Senior Officers), the Monitoring Officer agrees that you may continue to perform your normal duties, (eg. if the conflict is so minor that it can just be noted and the situation monitored).

**\*\*** For employees below Head of Service level, the appropriate manager is your Head of Service.

*For employees at Head of Service level and above, the appropriate manager is the Monitoring Officer, but your declaration should be sent to Democratic Services who will store such declarations on behalf of the Monitoring Officer. The Monitoring Officer's own declarations will be made to the Chief Executive.*

*Additional requirements in relation to declaring personal interests apply to Senior Officers (Officers at Head of Service level and above) and are set out in Part 2 of this Code. There is no need to declare on Form DOPI anything that has already been declared in accordance with Part 2 of this Code. Form DOPI could be used by a Senior Officer to declare an interest that has arisen in relation to a specific piece of work they are involved in, and that would not fall into any of the categories of interest that Senior Officers are required to declare under Part 2 of this Code.*

## **Whistleblowing**

Where an employee becomes aware of activities which that employee believes to be illegal, improper, unethical or otherwise inconsistent with this Code, the employee should report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998 and with the Council's Whistleblowing Policy and Procedure (the confidential reporting procedure) which can be found on the intranet.

## **Treatment of Information**

Openness in the distribution of information and decision-making is the norm in the way the Council functions. However, certain information may be confidential or sensitive and therefore not appropriate to 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 relevant Member, 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. Nothing in this Code can be taken as overriding existing statutory or common law obligations to keep certain information confidential, or to divulge certain information.

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. Any particular information received by an employee from a Member which is personal to that Member and does not belong to the Council should not be divulged by the employee without the prior approval of that Member, except where such disclosure is required or sanctioned by the law.

## **Appointment of staff and other employment matters**

Employees of the Council, when involved in the recruitment and appointment of staff, must ensure that appointments are made on the basis of merit. In order to avoid any accusation of bias, those employees must not be involved in any appointment, or any other decision relating to discipline, promotion or pay and conditions for any other employee, or

prospective employee, to whom they are related or with whom they have a close personal relationship outside work.

Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee to whom they are related or with whom they have a close personal relationship outside work.

### **Investigations by the Monitoring Officer**

Where the Monitoring Officer (or a person appointed by the Monitoring Officer) is undertaking an investigation in relation to Member conduct in accordance with arrangements adopted by the Council pursuant to the Localism Act 2011, employees must comply with any requirement made by the Monitoring Officer or his/her appointee in connection with such an investigation.

### **Patentable Designs and Inventions**

Any Council employee who proposes to take out a patent for an invention shall, after obtaining provisional protection, send particulars thereof to the Chief Executive for submission to the appropriate Committee of the Council before taking any further steps.

Where the appropriate Committee is of the opinion that the invention is connected with the official work performed at any time by the employee or service concerned, permission to take out a patent will, if granted, be subject to such conditions as to its use as may be imposed. These conditions shall include the right of the Council to use the patent for all time without the payment of any fees or royalties whatsoever, but may provide for the payment of a grant, honorarium, or other monetary reward to the employee concerned.

Where, on the other hand, the Committee is of the opinion that the invention is in no way connected with the official work performed at any time by the employee concerned, no permission on the part of the Council will be necessary.

It is not desirable that patents should be taken out by employees of the Council whose duty it is to devise improvements or to examine and report upon the suggestions of others.

### **Secondary Employment**

Employees may not without the written permission of the Chief Executive engage in any business or paid or unpaid employment other than that for which they are employed by the Council. Permission is generally given unless such business or paid employment conflicts with or reacts detrimentally to the Council's interests or in any way weakens public confidence in the conduct of the Council's business.

### **Corruption and Fraud**

Employees must be aware that it is a serious criminal offence for them 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. Staff must not seek to obtain pecuniary reward for themselves or others by inappropriate actions and must not make false records or statements, or abuse financial authority.

All employees are required to avoid any activity that might lead to or suggest a breach of the Bribery Act 2010. The prevention, detection and reporting of bribery and fraud is the responsibility of all those working for the Council.

### **Tendering**

Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor .

Employees must be aware of the need for accountability and openness.

Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

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.

Orders and contracts must be awarded on merit by fair competition against other tenders. 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 business run by them or employing them in a senior or relevant managerial capacity.

### **Sponsorship – Giving and Receiving**

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.

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 an appropriate manager of any such interest. Similarly, where the authority 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.

## **Part 2 – APPLIES TO SENIOR EMPLOYEES ONLY**

This Part 2 of the Code applies only to senior employees of the Council. For the purposes of this Code, a 'senior employee' is any employee of who is at Head of Service level or above. Any employee who is uncertain as to whether they are a "senior employee" for the purposes of this Code must consult the Monitoring Officer.

### **REGISTER OF OFFICER INTERESTS**

Senior employees of the Council must complete and maintain the Register of Officer Interests, which is at Schedule 3 ('Form ROI'). The purpose of compiling this register is to give assurance that the qualifying employee is acting transparently and to prevent accusations of partiality in decision-making by the employee concerned.

**Form for Declaration of a Personal Interest by Council Staff**

*Any member of staff can use this form to declare a personal interest.*

*Please refer to the Employees' Code of Conduct for further information about declaring personal interests.*

<b>Name.</b>	
<b>Job Title.</b>	
<b>Department.</b>	
<b>Description of any personal interest which you consider creates, has the potential to create or could lead to a perception of a conflict of interest between your interests and those of the Council.</b>	
<b>Details of any other type of interest that you wish to declare.</b>	

*Once completed, please pass this form to your Head of Service for recording and retention.*

*If you are at Head of Service level or above, please pass this form to Democratic Services who will record and retain the form on behalf of the Monitoring Officer. (The Monitoring Officer will make any declarations to the Chief Executive).*

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Signature of Officer: .....

Date: .....

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Signature of Head of Service / Democratic Services Manager / Chief Executive: .....  
*(Delete as appropriate)*

Print Name: .....

Date: .....

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**NORTHAMPTON**  
**BOROUGH COUNCIL**

## **SCHEDULE 2**

# **OFFICERS' \* REGISTER OF GIFTS AND HOSPITALITY GUIDANCE**

*\* References to officers and employees in this Guidance and associated form OGH should be read widely to include reference to all employees, officers, workers, temporary staff, agency staff, locums, interims, and consultants.*

## **OFFICERS' REGISTER OF GIFTS AND HOSPITALITY – GUIDANCE**

### **Why do we need a Register of Gifts and Hospitality?**

Many Council employees have dealings with people outside the Council, particularly members of the public, suppliers, contractors and other private organisations.

It is essential that Council employees adhere to the overriding principle that they should not compromise their position as public service workers by accepting gifts and/or hospitality and allowing themselves to reach the position where they might be, or might be thought by others, to have been influenced in making an important decision as a consequence or might be open to allegations of corruption or acting improperly. As acceptance of gifts and hospitality could be seen to compromise an employee's personal judgment or integrity, it is important for the Council to have clear guidance governing this area.

### **General guidance on accepting gifts and hospitality**

You should treat with extreme caution any offer of a gift, favour or hospitality that is made to you personally. The person or organisation making the offer may be doing or seeking to do business with the Council, or may be applying to the Council for planning permission or some other kind of decision.

However, certain senior jobs, by their very nature require officers to accept gifts and hospitality. This would be where, for example, senior officers were acting in an authorised capacity representing the Council at an event. In such circumstances it is permissible to accept gifts and hospitality subject to registering these if their value is or is likely to be in excess of £25.00.

A helpful question in deciding whether any gift or hospitality should be accepted is whether a member of the public, knowing the facts, would think that you might be improperly influenced by the gift or hospitality.

**If you have any doubts about any particular situation, you should always consult your Line Manager, Supervisor or the Monitoring Officer before accepting anything.**

## **GIFTS**

### **Accepting gifts**

**The general principle is that gifts offered should be refused.**

However, when deciding whether or not to accept an offer of a gift, the context is very important. An offer from a company seeking to do business with the Council made to an employee involved in letting a contract is unlikely ever to be acceptable, regardless of the value of the gift. Further, money as payment for services provided whilst undertaking duties for the Council must never be accepted. (Receipt of money in such circumstances may be a criminal offence and will certainly result in disciplinary action. Tips should also be refused).

By contrast, a gift given at Christmas by a service user as a gesture of appreciation to an employee will generally be acceptable and could cause offence if returned. Further, it will usually be acceptable to receive promotional material of token value such as desk diaries, mouse mats, mugs, key rings, calendars or pens.

### **Registering Gifts**

You are only required to formally register a gift if its value is £25.00 or more. However, before accepting any gifts **even where their value is less than £25.00** you are advised to seek your Line Manager's or Supervisor's guidance on whether the gift should be accepted. If need be, your Line Manager or Supervisor will check the position with the Monitoring Officer.

In order to register a gift you must complete the form in Appendix A, ('Form OGH').

With the exception of employees at Head of Service level or above (see below), all employees must send the completed Form OGH to their Head of Service who will maintain a register in relation to employees below them.

All employees at Head of Service level or above must send the completed Form OGH to Democratic Services, where a register is held on behalf of the Monitoring Officer in relation to senior employees.

## **HOSPITALITY**

### **Accepting hospitality**

**The general principle is that hospitality should ordinarily be refused other than on a modest scale.**

Hospitality should generally only be accepted if there is a genuine need to impart information or represent the Council in the local community.

Examples of hospitality which can be accepted are:

- refreshments or a meal given during or at the conclusion of business
- an invitation to a Society or Institute dinner

Examples of hospitality which are not acceptable are:

- a holiday or business trip paid for by business contacts
- use of a company flat/hotel suite

In cases where accepting hospitality is appropriate, you must inform your Line Manager or Supervisor in advance in order to avoid any later misunderstanding. Further, when receiving authorised hospitality, you should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality.

Offers of free hotel accommodation and tickets for concerts or sporting events should be treated with caution and accepted only when these are part of the life of the community or where the Council should be seen to be represented. However, if it is appropriate to accept these and if their value is or is likely to be in excess of £25.00, then, they will need to be declared. These will invariably be valued substantially in excess of £25.00 and you must record why such hospitality has been accepted.

Acceptance of hospitality through attendance at relevant conferences and courses will generally be acceptable where it is clear the hospitality is corporate rather than personal, where the Council gives consent in advance and where the Council is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, etc are required, you should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

If in doubt, any offer of hospitality should be declined. When hospitality has to be declined, those making the offer should be courteously but firmly informed of this Council policy and the standards operating within the Council.

### **Registering Hospitality**

All hospitality that is valued at £25.00 or more must be registered, together with the reason for accepting it by completing the form in Appendix A, ('Form OGH').

With the exception of employees at Head of Service level or above (see below), all employees must send the completed Form OGH to their Head of Service who will maintain a register in relation to employees below them.

All employees at Head of Service level or above must send the completed Form OGH to Democratic Services, where a register is held on behalf of the Monitoring Officer in relation to senior employees.

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**If you are concerned about a particular gift or offer of hospitality, you should obtain advice on the operation of this guidance from the Monitoring Officer, Francis Fernandes (ext 7334).**

**Form for Registration of Gifts and Hospitality by Officers\***

\* Any member of staff, including employees, officers, workers, temporary staff, agency staff, locums, interims, and consultants engaged by the Council can use this Form to declare gifts or hospitality.

**N.B. ONLY COMPLETE THIS FORM IF THE VALUE OF GIFTS OR HOSPITALITY IS VALUED AT £25 OR MORE**

<ul style="list-style-type: none"> <li>• Name</li> <li>• Position</li> <li>• Department:</li> </ul>		
<b>Gift or Hospitality?</b>	GIFT	HOSPITALITY
<b>Description and estimated value (where known) of gift / hospitality:</b>		
<b>Name and address of person/ organisation that gave / offered the gift /hospitality:</b>		
<b>Reason for acceptance:</b>		
<b>Date on which gift or hospitality was received:</b>		

With the exception of staff at Head of Service level or above (see below), all staff must send the completed form by e-mail to their Head of Service who will maintain a register in relation to staff below them.

All staff at Head of Service level or above must send the completed form to Democratic Services by e-mail to [democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk), who will maintain a register on behalf of the Monitoring Officer.

Signed: .....  
 Head of Service / Democratic Services Manager  
 on behalf of Monitoring Officer (*Delete as appropriate*)

Print Name: .....

Date form received: .....



**NORTHAMPTON**  
**BOROUGH COUNCIL**

## **SCHEDULE 3**

# **REGISTER OF OFFICER\* INTERESTS GUIDANCE**

\* **Only** applies to staff at Head of Service level and above, (and includes temporary staff, locums and interims at this level).

## GUIDANCE

### REGISTER OF OFFICER INTERESTS

#### Introduction

Officers at Head of Service level and above are required to complete the form entitled '*Declaration by an Officer of Financial and Other Personal Interests*' (**Form ROI**). The completed Form ROIs together form the Council's Register of Officer Interests.

#### Why have a Register of Officer interests?

The purpose of the Register of Officer Interests is to identify any financial and other personal interests you have which might conflict with the Council's interests. The types of interests that you are asked to register on Form ROI are those which could potentially give rise to concerns of partiality in decision making and the working practices of the Council.

The Register of Officer Interests is held by the Monitoring Officer. It is not Council policy to publish this information.

#### The different categories of interest

##### **(1) Details of any employment or other work in addition to your employment with the Council**

You should state any employment, office, trade, profession, business or activity. You should include both income generating and unpaid/voluntary activities in this category.

If you are employed by a company, give the name of the company paying your wages, not that of the ultimate holding company.

This category does not cover unearned income (from property or investments) unless you play an active role in the management of those assets.

Lengthy or detailed descriptions are not required here as the purpose of the entry is to identify the interest. The job title will normally be sufficient to identify the nature of your employment. A brief description of the nature of a business will also be acceptable.

##### **(2) Names of any businesses you own or which you have a share in, where that shareholding is greater than £25,000, or your stake is more than one hundredth of the value or share capital of the company**

You should list the names of any companies or other bodies and in which you have a substantial interest. You need not show the extent of your interest.

#### What is meant by a shareholding greater than £25,000?

The value of your shareholding in a company refers to the total nominal value of the shares that you own.

### What does nominal value mean?

The nominal value of a share usually means its face value ie. the value stated on the share certificate itself. (This contrasts with its market value, which can often be considerably more, but may be less).

A nominal value of more than £25,000 is set for the inclusion of shareholdings in the Register of Officer Interests. This is a relatively high threshold. Therefore if you hold a small number of shares in a large public company of the kind that results from a privatisation issue, or a building society becoming a company, you are unlikely to need to register them. However, please see the guidance below on the alternative criteria (ie. more than one hundredth of the share capital) which offsets this high threshold considerably.

### What is meant by a stake of more than one hundredth of the value or share capital of the company?

The term 'share capital' refers to the nominal value of all the shares of the company that are in issue at any point in time. Therefore, if a company has issued 1000 £1 shares, it has a share capital of £1000 and you would therefore have a 1/100<sup>th</sup> stake of the share capital of the company if you owned 10 shares.

Therefore, comparatively modest shareholdings in smaller companies will be caught by this requirement.

### What are securities?

Any other significant class of securities in relation to relevant businesses should also be listed under this heading. The term class of securities includes any instrument such as a stock, bond or option that indicates some form of ownership rights or creditor relationship with a particular body. (In practice, shares are the most commonly encountered form of securities).

### What is meant by "beneficial interest"?

A beneficial interest is one where the owner of the interest is entitled to benefit from the asset concerned. Such an interest can arise directly through the legal ownership of an asset, or indirectly where you are the beneficiary of a trust.

#### **(3) Description of any contracts for goods, services or works between:**

- **the Council and you;**
- **the Council and any firm in which you are a partner; and**
- **the Council and any business which you have an interest in as in category (2) above**

### How much detail is required by the description of "any contracts"?

Enough detail should be given to identify the contract, such as the date and a brief description of the goods, services or works being contracted for.

There is no requirement to state the value of the contract or its terms but you should state the duration of the contract.

**(4) Address (or other description sufficient to identify the location) of any land or property in the Council’s area in which you have a beneficial interest**

If you live in the Council’s area, you should include your home under this heading if you are an owner, lessee or tenant.

Sufficient detail should be given to identify the land in question. An address and, where the address is not sufficient, a field number or map reference will usually meet the requirement. A plan identifying the land may be useful in some situations but is not a requirement.

What is meant by “beneficial interest”?

A beneficial interest is one where the owner of the interest is entitled to benefit from the asset concerned. Such an interest can arise directly through the legal ownership of an asset, or indirectly where you are the beneficiary of a trust.

**(5) Address or other description (sufficient to identify the location) of any land where the landlord is the Council and the tenant is:**

- a firm in which you are a partner;
- a company of which you are a remunerated director; or
- a business which you have an interest in as in category (2) above

Do you have to register the landholdings of your employers or bodies you have shareholdings in?

No. There is no requirement to list the landholdings of companies or corporate bodies included in the register. The only requirement is to register any **tenancy between such bodies and the Council**.

You are only expected to register those tenancies you ought reasonably to be aware of.

**(6) I am a member or hold a position of general control or management of the following public authority/ies or body/ies exercising functions of a public nature (that is, carrying out a public service, taking the place of a local or central governmental body in providing a service, exercising a function delegated by a local authority or exercising a function under legislation or a statutory power)**

What is meant by a “body exercising functions of a public nature”?

The phrase “a body exercising functions of a public nature” is wide in scope and covers more than public authorities.

A function will usually be “of a public nature” where it is underpinned by statute or government. Although it is not possible to produce an exhaustive list of such bodies, here are some criteria to consider when deciding whether or not a body meets that definition:

- Does the body carry out a public service?
- Is the body taking the place of local or central government in carrying out the function?
- Is the body (including one providing outsourced services in the private sector) exercising a function delegated to it by a public authority?
- Is the function exercised under legislation or according to some statutory power?
- Can the body be judicially reviewed?

Unless you can answer “yes” to one of the above questions, it is unlikely that the body is exercising functions of a public nature.

Examples of bodies included in this definition are:

- regional and local development agencies
- other government agencies
- other councils
- public health bodies
- council-owned companies exercising public functions
- arms length management organisations carrying out housing functions on behalf of a public authority
- school governing bodies

**(7) I am a member or hold a position of general control or management of the following company/ies, industrial and provident society/ies, charity/ies or body/ies directed to charitable purposes.**

*What is meant by a “body directed to charitable purposes”?*

The reference to a “body directed to charitable purposes” is intended to cover more than organisations that fall within the legal definition of a charity. Any organisation directed towards charitable purposes (as the term is commonly understood), to any significant degree, comes within the scope of these words. Therefore, membership of Rotary or Lions clubs are likely to require registration.

*Is membership of the Freemasons included?*

Some but not all Masonic organisations are registered charities with the Charity Commission. Membership of those that are registered clearly falls within the scope of this provision.

However, the reference to any body “directed to charitable purposes” also covers organisations not falling within the legal definition of a charity. Ultimately you must judge the matter for yourself, however, it seems that many Masonic organisations will fall within the scope of this provision. The United Grand Lodge of England describes Freemasonry as, “...one of the world’s largest non-religious, non-political, fraternal and charitable organisations”.

**(8) I am a member or hold a position of general control or management of the following body/ies, whose principal purposes include the influence of public opinion or policy.**

*Is membership of religious organisations included?*

Generally religious organisations will not fall within the scope of this category.

The principal purpose of most religious organisations is to provide a focus for religious worship and the common life of the particular faith community that the organisation serves. The influence of public opinion is normally not a principal purpose.

Likewise, although a religion may encourage charitable virtues, this will not make it a body directed to charitable purposes. However, you should register your religious organisation if one of its principal purposes is to influence public opinion or policy. Similarly, it will need to be registered if it is a registered charity or directed to charitable purposes.

**(9) I hold a position of general control or management of the following trade union(s) or professional association(s)**

The following are examples of professional organisations:

- Royal Institute of Chartered Surveyors
- Institute of Chartered Accountants in England and Wales
- Chartered Institute of Public Finance and Accountancy
- The Law Society

Please note there is no need to declare membership of a trade union or professional association. You only need to declare an interest where you are in a position of general control or management.

**(10) I hold a position of general control or management of the following body/ies**

You should detail your membership of or position of general control or management of any body which you have not registered under any of the preceding paragraphs. (You should include brief details of what the nature of your involvement is eg. member or manager).

Please note that you only need to declare an interest where you are in a position of general control or management. There is no need to declare an interest simply because you are a member of a certain body.

**(11) Relationships with Northampton Borough Councillors**

If a Northampton Borough Councillor is a member of your family or a close associate, you should state that relationship here.

Who is classed as a “member of your family”?

A member of your family should be given a very wide meaning. It includes:

- a partner (someone you are married to, your civil partner, or someone you live with in a similar capacity)
- a parent
- a parent-in-law
- a son or daughter
- a stepson or stepdaughter
- the child of a partner
- a brother or sister
- a brother or sister of your partner
- a grandparent
- a grandchild
- an uncle or aunt
- a nephew or niece
- the partners of any of the people above

In this context, a “member of your family” should be interpreted widely enough to cover anybody related to you by birth, marriage or civil partnership.

What is a “close associate”?

The term “close associate” should also be interpreted broadly.

A person with whom you have a close association is someone that you are in either regular or irregular contact with over a period of time, who is more than an acquaintance.

A close associate may be a friend, a colleague, a business associate or someone with whom you know through general social contacts. A closer relationship is implied than mere acquaintance.

A level of relationship above and beyond that which usually exists between colleagues will be required to establish the existence of a close association.

**(12) Any other personal or pecuniary (financial) interest that you have which could conflict with the Council’s interests, or could potentially give rise to a concern about, or a perception of, bias or partiality in decision making or the working practices of the Council.**

This category should be used to declare any other personal or pecuniary interest you have that you feel you should declare, but would not fit into any of the other categories of interest.

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**If you have any queries about completing Form ROI, please consult the Monitoring Officer, Francis Fernandes, (ext: 7334, e-mail: ffernandes@northampton.gov.uk).**

**FORM ROI**



**REGISTER OF OFFICER INTERESTS**

Name of Officer: .....

**This form must be completed by the Chief Executive, and all Directors and Heads of Service (including interims/temporary staff at these levels of the organisation) within 28 days of appointment and thereafter at least annually. Completion of this form is a requirement of the Employees' Code of Conduct.**

Within 28 days of any change to your interests occurring, you must send an e-mail confirming the changes to the Democratic Services Manager, at:

[democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk).

**I certify that I have not:**

- (1) omitted information that ought to be given on this register; or
- (2) provided information that is intentionally false or misleading

**and I recognise that I am obliged to give further notices in order to:**

- bring up to date information given in this notice; and
- declare an interest that I acquire after the date of this notice and am obliged to declare **within 28 days of any such change.**

**Signed:** .....

**Date:** .....

Once completed, this form must be sent to the Monitoring Officer, **care of the** Democratic Services Manager, the Guildhall in a sealed envelope marked 'Strictly Private and Confidential'.

Received by: .....

Date: .....

# FORM ROI

## Declaration by an Officer of Financial and Other Personal Interests

- *Please note that you must make a 'nil' return if you have no interests to declare*
- *If you have any queries about filling in this form, please ask the Monitoring Officer (Francis Fernandes, extension: 7334) for guidance.*

(1) **Details of any employment or other work in addition to your employment with the Council**

*(If you are an employee, you should give the name of your employer below. Where you hold an office, please give below the name of the person or body which appointed you. In the case of a public office, this will be the authority which pays you).*

(2) **Names of any businesses you own or which you have a share in, where that shareholding is greater than £25,000, or your stake is more than one hundredth of the value or share capital of the company**

*(Please include any such interests that are held in the name of other people, in which you have a beneficial interest, for example, shares that are held in the name of someone other than you as trustee on trust for your benefit).*

(3) **Description of any contracts for goods, services or works between:**

- **the Council and you;**
- **the Council and any firm in which you are a partner; and**
- **the Council and any business which you have an interest in as in category (2) above**

*(Please note that your contract of employment with the Council does not need to be included).*

**(4) Address (or other description sufficient to identify the location) of any land or property in the Council's area in which you have a beneficial interest**

- (a) You should include all land in the Council's area in which you have a beneficial interest, that is, in which you have some proprietary interest for your own benefit, for example land which you own or have a leasehold interest in.*
- (b) You should also include any property in the Council's area from which you receive rent, or of which you are the mortgagee (lender).*
- (c) "Land" includes any buildings or parts of buildings).*

**(5) Address or other description (sufficient to identify the location) of any land where the landlord is the Council and the tenant is:**

- a firm in which you are a partner;
- a company of which you are a remunerated director; or
- a business which you have an interest in as in category (2) above.

*(Please note that "land" includes any buildings or parts of buildings).*

**(6) I am a member or hold a position of general control or management of the following public authority/ies or body/ies exercising functions of a public nature (that is, carrying out a public service, taking the place of a local or central governmental body in providing a service, exercising a function delegated by a local authority or exercising a function under legislation or a statutory power).**

**(7) I am a member or hold a position of general control or management of the following company/ies, industrial and provident society/ies, charity/ies or body/ies directed to charitable purposes.**

- (8) I am a member or hold a position of general control or management of the following body/ies, whose principal purposes include the influence of public opinion or policy

- (9) I hold a position of general control or management of the following trade union(s) or professional association(s)

- (10) I hold a position of general control or management of the following body/ies

- (11) Relationships with Northampton Borough Councillors

- (12) Any other personal or pecuniary (financial) interest that you have which could conflict with the Council’s interests, or could potentially give rise to a concern about, or a perception of, bias or partiality in decision making or the working practices of the Council.