

CODE OF CONDUCT FOR EMPLOYEES

Including supporting policies and guidance of:

- *Anti-Fraud and Corruption Policy*
- *Confidential Reporting Policy*
- *Guidance on the personal use of Email – Internet – IT Equipment (taken from the e-Policy)*
- *Guidance on declaring personal interests*
- *Guidance on declaring gifts and hospitality*
- *Guidance on requests to engage in another business or take on an additional appointment (for employees graded scale H and above)*

To every employee of the
Peak District National Park Authority

Dear Colleague

As employees in local government service we are expected to maintain conduct of the highest standard so that public confidence in our integrity is sustained.

During 2009/2010 we are expecting to hear the outcome of consultations on a new national Code of Conduct for all local government employees. We have delayed updating this local Code because of the imminent agreement on a new national Code.

However we have updated and supplemented this Code with additional Policies and guidance (as listed on the front cover) and these are given at the end of this Code of Conduct so that you have access in one place to the standards of conduct we expect of you. Please read these carefully as they have direct relevance to your work with the Peak District National Park Authority.

In response to internal audit concerns we have introduced a routine monitoring process across all declarations and permissions given under the policies and guidance in this booklet. This is to ensure we are achieving the standards we want to and that there is compliance with the guidance given whilst still fostering a culture of trust and maintaining staff goodwill. Although spot checks and checks in response to a specific issue can happen at any time there will also be an annual review across a range of reports and registers with exceptions and unusual activity highlighted being investigated further. The reports and registers reviewed will include:

- The register of staff declarations of interests
- The register of staff declarations on gifts and hospitality
- The register of staff who have permission to use the Authority's IT equipment, email and internet for personal use
- The register of staff who have permission to engage in another business or take on an additional appointment
- A headline report on internet surfing
- A headline report on email traffic
- Transaction history on payments made to contractors

We will keep you informed on developments with the new national Code of Conduct. If you have any queries on the standards expected of you as a result of reading this material please do not hesitate to contact me, Eugene Judge the Deputy Monitoring Officer or any Corporate Resources Head of Service.

Ruth Marchington
Director of Corporate Resources and Monitoring Officer
June 2009

Please note forms for declarations and permissions under the Policies and Guidance in this booklet can be obtained through the intranet under HR forms or on request from HR and Performance

CODE OF CONDUCT FOR PEAK DISTRICT NATIONAL PARK AUTHORITY EMPLOYEES

1. Standards

Local government employees are expected to give the highest possible standard of service to the public, and where it is part of their duties, to provide appropriate advice to Members and fellow employees with impartiality. Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service. Employees must report to the appropriate manager any impropriety or breach of procedure.

2. Disclosure of information - please also refer to guidance on Freedom of Information and Data Protection

It is generally accepted that open government is best. The law requires that certain types of information must be available to Members, auditors, government departments, service users and the public. The Authority itself may decide to be open about other types of information. Employees must be aware of which information the Authority is open about and which has to be confidential or exempt from public access, and act accordingly.

Employees may 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 Authority 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.

Where specific valuable achievements or knowledge are gained directly as a part of an employee's work for the Authority, the employee shall not make any personal financial gain by passing the benefit of that achievement or knowledge to any other person.

3. Political Neutrality

Subject to the Authority's conventions, Politically Restricted Postholders (PRP) may also be requested to advise political groups. They must do so in ways which do not compromise their political neutrality. Employees who are not in PRP posts should not advise Member groups or Committees.

Employees, whether or not politically restricted, must follow every lawful expressed policy of the Authority and must not allow their own personal or political opinions to interfere with their work.

4. Relationships

Members – please also see the Member Officer Relations protocol

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

The Local Community and Service Users

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

Contractors, Planning Applicants and those applying for Authority Grant

All relationships of a business or private nature with external contractors, or potential contractors or applicants for planning consent or grant should be made known to the appropriate manager. Orders

and contracts, grants and planning decisions must be decided on merit and no special favour may be shown to businesses run by, for example, friends, partners or relatives. No part of the local community should be discriminated against.

Employees who engage or supervise contractors or process or determine applications under delegated powers or have any other official relationship with contractors or applicants and have previously had or currently have a relationship in a private or domestic capacity, should declare that relationship to the Director of Corporate Resources on the appropriate declaration of interest form.

5. Appointment and other employment matters

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

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

6. Personal Interests - please also see guidance on declaration of interests

Employees must declare to the Director of Corporate Resources any financial or non-financial interests that they consider could bring about conflict with the Authority's interests.

7. Equality Issues

All local government employees should ensure that policies relating to equality issues as agreed by the Authority are complied with in addition to the requirements of the law. All members of the local community, visitors, customers and other employees have a right to be treated with fairness and equality.

8. Separation of Roles during Tendering for Contracts

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

Employees who are aware of confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.

Employees should ensure that no special favour is shown to current employees or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

9. Fraud and Corruption – please see the Authority's Anti Fraud and Corruption Policy

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 to or prejudice against any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

All employees must ensure that they fully understand the Authority's anti-fraud and corruption policy and that they are able to comply with and implement it. In case of doubt advice should be sought from Ruth Marchington as Monitoring Officer.

10. Use of Financial Resources

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 Authority.

11. Hospitality – please see guidance on gifts and hospitality

12. 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 Authority wishes to sponsor an event or service neither an employee nor any partners, spouse/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.

13. Use of the Authority's IT equipment, email and internet facilities – please see E-Policy and guidance on use of the Authority's IT equipment, internet and email system.

14. Breaches of the Code of Conduct

Any breach by an employee of any part of this code of conduct or its supporting policies and guidance will render the employee liable to disciplinary proceedings. It should be noted that a breach of the code and its supporting policies and guidance may be regarded as Gross Misconduct with consequential action as described in the Authority's Disciplinary Procedures.

Anti Fraud and Corruption Policy

Anti Fraud and Corruption Policy

1. Introduction

- 1.1 The Peak District National Park Authority aims to set high standards of service provision and is committed to upholding the reputation of the Authority and maintaining public confidence in its integrity.
- 1.2 In fulfilling its responsibilities to protect the public funds it administers against fraud and corruption the Authority recognises the responsibilities placed upon it by statute and will actively promote this Anti-Fraud and Corruption Policy which is designed to :
- promote standards of honest and fair conduct;
 - encourage prevention of fraud and corruption;
 - maintain strong systems of internal control;
 - promote detection;
 - pursue a zero-tolerance policy and bring to justice all persons who commit acts of fraud or corruption against the Authority;
 - recover any losses incurred by the Authority.
- 1.3 The Authority expects that Members and staff at all levels will adopt the highest standards of propriety and accountability and will lead by example.
- 1.4 The Authority also expects that individuals and organisations that come into contact with the Authority e.g. the public, suppliers and contractors, will act with integrity and without intent or actions involving fraud and corruption.

2. Culture

- 2.1 The culture of the Authority is one of honesty, openness, integrity, accountability and opposition to fraud and corruption. The prevention and detection of fraud and corruption and the protection of the public purse is everyone's responsibility.
- 2.2 The Authority's Members and staff play an important role in creating and maintaining this culture. Managers should strive to create an environment in which their staff feel that they can raise any concerns they may have about suspected irregularities. Anonymity will be respected and staff can be assured that there will be no victimisation, and it will not affect their current employment situation or future prospects with the Authority.
- 2.3 All members of the public, partners, organisations, suppliers and contractors associated with the Authority will act with integrity and they are encouraged to raise any issues that concern them through whichever channel they consider appropriate.
- 2.4 Full details for reporting concerns internally can be found in the Authority's Confidential Reporting Policy. Concerns will be treated seriously and will be properly investigated in a confidential and impartial manner.
- 2.5 The Authority will respect the Human Rights Act 1998 but it will use all possible lawful means to protect Authority services and finances from fraudsters and it will fully meet relevant legislative requirements relating to fraud and corruption.
- 2.6 All suspected instances of fraud or corruption will be investigated.

Prevention

3. Control Systems

- 3.1 The key documents, policies & procedures which together form the overall framework for the proper conduct of business within the Authority are listed in the Appendix.
- 3.2 Under the Accounts and Audit Regulations 2003 the Authority has to maintain a sound system of internal control which facilitates the effective exercise of the Authority's functions and includes arrangements for the management of risk.
- 3.3 The Chief Finance Officer has a statutory responsibility under Section 151 of the Local Government Act 1972 to ensure proper administration of the Authority's financial affairs. In addition, under the Accounts and Audit Regulations 2003, the Authority is required to maintain an adequate and effective internal audit of its financial records and systems of internal control.
- 3.4 The Director of Corporate Resources & Monitoring Officer has a statutory responsibility under section 5.5 of the Local Government and Housing Act 1981 and the Local Government Act 2000 to ensure the lawfulness and fairness of decision making and with the Standards Committee to promote and maintain high standards of conduct.
- 3.5 The Chief Executive and managers at all levels are responsible for ensuring that their staff are aware of the Authority's policies and procedures and that their requirements are being complied with at all times. They are also responsible for the operation, management and monitoring of the internal control systems within their service areas.
- 3.6 Internal scrutiny of the Authority's affairs occurs as a result of:
- The Chief Finance Officer's responsibilities to ensure the proper administration of the Authority's financial affairs under Section 151 Local Government Act 1972 and the reporting duties under Section 114 Local Government Finance Act 1988;
 - the responsibilities placed on the Director of Corporate Resources as Monitoring Officer under Section 5 of the Local Government and Housing Act 1989 and;
 - the establishment of sound internal audit arrangements in accordance with the Accounts and Audit Regulations 2003.
 - regular reporting to the Members of the Authority
- 3.7 External Scrutiny of the Authority's affairs occurs as a result of involvement by :
- Defra as the principal funding authority under the Financial Grant Memorandum
 - External Auditor appointed by the Audit Commission;
 - HM Revenue & Customs;
 - The Department for Work and Pensions;
 - the general public via the annual inspection of the accounts;
 - the Authority's Complaints procedure;
 - Local Government Ombudsman;
 - The Standards Board for England.

3.8 Internal and External Audit regularly assess the adequacy, efficiency and effectiveness of the Authority's financial systems having regard to the risks of fraud and corruption. Any weaknesses identified will be reported to management who will ensure that corrective action is taken. The Section 151 Officer (Chief Finance Officer) will use statutory power to enforce the required changes if necessary.

4. Staff

4.1 The Authority recognises that a key preventative measure against fraud and corruption is to take effective steps at the recruitment stage to establish, as far as possible, the honesty and integrity of potential staff. In this regard, temporary and contract staff should be treated in the same manner as permanent staff.

4.2 All staff recruitment will be in accordance with the Authority's Recruitment Policy Procedure Rules.

4.3 Staff are expected to follow standards of conduct laid down by the Authority's Code of Conduct for Employees, their Conditions of Service, any other codes of practice and by the standards set by any professional bodies of which they are members.

4.4 All staff are required to declare in a public register any offers of gifts or hospitality which are in any way related to the performance of their duties in relation to the Authority. The Employee Gifts and Hospitality Register is held by the Director of Corporate Resources & Monitoring Officer.

4.5 Section 117 of the Local Government Act 1972 requires staff to declare any pecuniary interests in contracts that have been or are proposed to be entered into by the Authority. The legislation also prohibits the acceptance of fees or rewards other than by means of proper remuneration. The Register of Staff declarations of interests is held by the Director of Corporate Resources.

4.6 Staff must also declare any pecuniary or non pecuniary interests in any business of the Authority e.g. planning applications or grant aid applications.

5. Members

5.1 Members are required to operate within :

- The Authority's Standing Orders;
- The Members Code of Conduct;
- The statutory rules and guidance for the registration and declaration of personal and prejudicial interests;
- Guidance for Members on Gifts and Hospitality;
- The Members Allowances Scheme;
- Any locally adopted Protocols such as the Protocol on Planning.

5.2 These matters are specifically brought to the attention of Members on appointment to the Authority and subsequent training.

5.3 Members are required to provide specific information concerning their financial and other interests and keep this information up to date. The Members Financial and Other Interests Register and the Gifts and Hospitality Register are held by the Director of Corporate Resources & Monitoring Officer.

5.4 Adherence to these matters is overseen by the Authority's Standards Committee which has independent representatives within its membership and is responsible for the ethical framework of the Authority working closely with the Director of Corporate Resources & Monitoring Officer.

6. Detection And Investigation

6.1 The Authority's preventative systems, particularly internal control systems, provide indicators for detecting fraud and help to deter any fraudulent activity.

6.2 The Chief Finance Officer or his/her authorised representative, shall have a right of access at all times to accounting records and documents, including computer data, of the Authority as appear to him/her to be necessary for whatever purpose.

6.3 It is the responsibility of Chief Officers and Heads of Service to prevent and detect fraud and corruption. However, it is often the alertness of Members, staff and the general public to the possibility of fraud and corruption that enables detection to occur and appropriate action to take place.

6.4 Frauds are often discovered by chance or 'tip-off' and the Authority has in place arrangements to enable such information to be properly and promptly dealt with.

6.5 All cases of suspected fraud or corruption should be reported using the Authority's "Confidential Reporting Policy".

6.6 Cases of suspected fraud, misappropriation of money, materials or equipment, or any mismanagement of money or other assets, or any other irregularities, will be reported immediately to the Chief Finance Officer and Monitoring Officer who will notify internal audit in all cases. Following this notification the Head of Internal Audit will advise on an appropriate investigation process.

6.7 All investigations into suspected instances of fraud and corruption undertaken by the Authority shall comply with the requirements of the Human Rights Act 1998.

6.8 Depending on the nature and anticipated extent of the allegations, the investigation process will ensure that all allegations and evidence are properly investigated and reported upon and will involve managers and other agencies such as the Police to achieve this.

6.9 A robust approach will be taken in all proven cases of financial malpractice, fraud or corruption including where appropriate, use of the Authority's disciplinary procedures. A similar approach will be taken in relation to any allegations that are found subsequently to be malicious. Where a member of staff is a member of professional bodies the Authority will report known impropriety to the relevant Institution for them to consider appropriate disciplinary action.

6.10 Proven cases of malpractice by a Member will also result in an investigation for a breach of the Code of Conduct and may lead to suspension from membership of the Authority by the Standards Committee.

6.11 Where the outcome of an investigation establishes that financial impropriety has occurred and where it is considered that it is in the public interest to take proceedings offenders will be prosecuted by the Police or other regulatory bodies.

6.12 The Authority will also aim to recover from the perpetrators any losses that it sustains as a result of fraud and corruption.

6.13 Where appropriate, the Authority will publicise the results of any action taken, including prosecutions, with regard to fraud and corruption activity perpetrated on the Authority.

- 6.14 When it is found that fraud and corruption has occurred due to a breakdown in the Authority's systems or procedures, Chief Officers and Heads of Service will ensure that appropriate improvements in systems of control are implemented in order to prevent a reoccurrence.

7. Training

- 7.1 The Authority recognises that the success of the Anti-Fraud and Corruption Policy and its general credibility will depend largely on how effectively it is communicated throughout the Authority and beyond.
- 7.2 To facilitate this, all managers are responsible for ensuring that this Policy and the related policies and procedures to which it refers, are communicated to their staff in order to promote greater awareness of fraud and corruption.
- 7.3 Managers should ensure that positive and appropriate training provision is made for all employees involved in key internal control systems to ensure that their responsibilities and duties in this respect are regularly highlighted and reinforced. Staff who ignore such training and guidance may face the possibility of disciplinary action.

8. Conclusion

- 8.1 The Authority has in place a robust network of policies, guidelines, systems and procedures which are designed to limit, as far as is practicable, acts of fraud and corruption and to detect and assist it in dealing with fraud and corruption should it occur. All such measures will be kept under review to ensure they keep pace with any developments in fraud prevention and detection techniques.
- 8.2 The Authority will maintain a continuous review of all the systems and procedures through the Director of Corporate Resources, Chief Finance Officer and the internal auditors.
- 8.3 The Authority will continuously review the key policy documents including this Anti-Fraud and Corruption Policy.

Internal Control Documents

- The Grant Memorandum agreed with Defra;
- Standing Orders and supplementary guidance;
- Financial regulations;
- Internal financial procedures;
- Officer delegation scheme;
- Procurement Strategy & Procurement Manual;
- Risk Management policies and procedures;
- Code of Conduct for Employees;
- Officers Travel & Subsistence Scheme;
- Gifts & Hospitality Guidance for staff;
- Members Code of Conduct;
- Members Allowances Scheme;
- Gifts & Hospitality Guidance for Members;
- Protocols:
 - Development Control and Planning Policy;
 - Member and Officers Relations;
 - Monitoring Officer;
- H R Policies and Procedures;
- e-Policy & Guide for users of information and communications technology;
- Freedom of Information Act Procedures;
- CIPFA Codes of Practice on:
 - Local Authority Accounting in the UK: A Statement of Recommended Practice;
 - Prudential Code for Capital Finance in Local Authorities;
 - Treasury Management in the Public Services;
 - Corporate Governance in Local Government;
- Code of Corporate Governance;
- Confidential Reporting Policy.

Confidential Reporting Policy

Confidential Reporting Policy

1. Introduction

- 1.1 The Authority is committed to the highest possible standards of openness, probity and accountability. In line with that commitment the Authority encourages employees and others with serious concerns about any aspect of the Authority's work to come forward and voice those concerns.
- 1.2 This Policy is intended to encourage and enable people to raise serious concerns within the Authority rather than overlooking a problem or "blowing the whistle" outside. This Policy provides a framework for concerns to be raised 'in-house' and in good faith without fear of victimisation, subsequent discrimination or disadvantage.
- 1.3 The Authority recognises that certain cases will have to proceed on a confidential basis so that the position of the 'whistleblower' can be protected.
- 1.4 The policy and procedure takes account of the Public Interest Disclosure Act 1998, which is incorporated into the Employments Rights Act 1996. These Acts protect employees making disclosures about certain matters of concern, where those disclosures are made in accordance with the Act's provisions. The Policy has been consulted with the relevant trade union and the Staff Committee and has their support.

2. Aims of this Policy

- 2.1 This Policy aims to:
- encourage employees to feel confident in raising concerns and to question and act upon their concerns;
 - provide avenues for employees to raise these concerns and receive feedback on any action taken;
 - allow employees to take the matter further if they are dissatisfied with the Authority's response; and
 - reassure them that they will be protected from reprisals or victimisation for whistleblowing in good faith in accordance with this procedure.
 - avoid malicious and vexatious allegations
- 2.2 This Policy is intended to cover concerns that fall outside the scope of other procedures, and include the following:
- failure to comply with a legal obligation to which a person is subject (this may include breaches of statutory codes of practice);
 - conduct which is an offence or a breach of the law;
 - conduct that is contrary to the Authority's Standing Orders or Policies or procedures (this may include conduct that falls below established standards or practice);
 - conduct that is in breach of the employee code of conduct;
 - showing undue favour over a contractual matter or to a job applicant;
 - disclosures relating to possible miscarriages of justice;
 - conduct that endangers the health and safety of other employees and/or members of the public;

- conduct that involves damage to the environment;
- the unauthorised use of public funds;
- suspected fraud or corruption.

2.3 The above does not represent an exhaustive list of areas covered by this Policy. Any serious concerns that employees may have about any aspect of service provision or the conduct of employees or Members of the Authority or others acting on behalf of the Authority can be reported under this Policy, although they may be investigated under other appropriate procedures.

3. Application and Scope

3.1 This Policy applies to all employees including contract, casual, seasonal, volunteers and temporary staff and agency workers. Where appropriate it also applies to contractors working for the Authority on Authority premises and suppliers.

3.2 This Policy is in addition to and distinct from the Authority's Complaint's Procedure that provides a facility to those not employed by the Authority (e.g. service users, and members of public) to raise any concerns.

3.3 This Policy is not intended to cover concerns that can be progressed under existing Human Resource procedures. There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. Where an employee's concerns relate to their own employment, either in terms of the treatment afforded to them or their terms and conditions of employment these should normally be raised through the Grievance procedure or appropriate Appeals procedures.

4. Safeguards against harassment or victimisation

4.1 The Authority is committed to good practice and high standards and wants to be supportive of all its employees.

4.2 The Authority recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the matter that gives rise to the concern. If concerns are raised in good faith, there will be nothing to fear because employees will be doing their duty to the employer and to those for whom they are providing a service.

4.3 Employees raising matters of concern internally are protected from harassment, victimisation, disciplinary action or dismissal or any other disadvantage at work (even if their disclosure of any wrongdoing or malpractice is not substantiated after investigation), provided they raise or disclose issues in good faith.

4.4 The Authority will not tolerate harassment or victimisation and will take such action as is necessary to protect employees when they raise concerns in good faith under this Policy.

5. Confidentiality

- 5.1 The Authority will use its best endeavours to protect an employee's identity when he/she raises a concern and does not want his/her identity disclosed.
- 5.2 If whistleblowers are required to give evidence in criminal or disciplinary proceedings, the Authority will arrange for them to receive advice and support.

6. Anonymous allegations

- 6.1 This Policy provides safeguards for employees who raise concerns. Employees are encouraged to put their names to any allegation. A concern expressed anonymously is much less powerful and it is often difficult to gather sufficient evidence and check its reliability. In most cases it will be possible to keep one's identity confidential without being anonymous.

7. Rights and Responsibilities of Employees

- 7.1 All employees are required to report any issue of concern regarding the provision of services or management of those services. In the majority of cases, this will be done through the usual line management channels.
- 7.2 Employees are expected to report concerns as soon as they arise and avoid any unnecessary delay in doing so.
- 7.3 Other than raising concerns in good faith, employees are not required to 'prove' the truth of any allegation. However, a complainant will need to demonstrate that there are reasonable grounds for the concern, and will be expected to co-operate with any investigation that takes place.
- 7.4 When any meeting or interview is arranged employees may be accompanied by a trade union official or a workplace colleague.

8. How to raise concerns

- 8.1 As a first step, employees should normally raise concerns with their immediate manager or Director. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the alleged wrongdoing or malpractice. For example, if an employee believes that the manager for their area of work is involved in the matter they intend to raise, or believes that the matter may not be dealt with properly, the concern may be raised directly with the relevant Director, the Chief Executive or the Director of Corporate Resources who is also the Authority's Monitoring Officer.
- 8.2 All concerns of a financial nature should be raised first with the Chief Finance Officer or the Monitoring Officer or the Internal Auditor.
- 8.3 Preferably concerns must be raised in writing without undue delay setting out the background and history of the concern, giving names, dates and places where possible, and the reason for the employee's particular concern. If an employee feels that they are not able to raise the concern in writing at this point they may personally raise the matter with the appropriate officer. However, at some stage the employee may be requested to put the concerns in writing although this may be done through the employee's representative.

8.4 Employees can obtain advice and guidance on how matters of concern may be pursued from:

- The Director of Corporate Resources who is also the Monitoring Officer;
- The Deputy Monitoring Officer in the absence of the Monitoring Officer;
- The Chief Finance Officer;
- The Head of Human Resources and Performance;

9. How the Authority will respond

9.1 Within ten working days of a concern being received, the Authority will write to the employee:

- acknowledging that the concern has been received;
- indicating how it proposes to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- telling the employee whether any initial enquiries have been made, and
- telling the employee whether further investigations will take place, and if not, why not.

9.2 Employees will also be provided with details of support available which will include access to counselling facilities.

9.3 The action taken by the Authority will depend on the nature of the concern. The matters raised may:

- be investigated internally;
- be referred to the external or internal auditor;
- form the subject of an independent inquiry or
- be referred to the Police.

9.4 In order to protect individuals and those accused of possible wrongdoing or malpractice, initial enquiries will be made by the relevant senior officer to decide whether an investigation is appropriate and if so, what form it should take and which procedure is appropriate for the circumstances. The overriding principle which the Authority will have in mind is the public interest.

9.5 In deciding whether or not to investigate an allegation the Authority will take account of all relevant factors which will include:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from other attributable sources.

- 9.6 Some concerns may be resolved by agreed action without the need for formal investigation. If urgent action is required this will be taken before any investigation is conducted.
- 9.7 The amount of contact between the officers considering the issues and the complainant employee will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided.
- 9.8 The Authority will take steps to minimise any difficulties which employees may experience as a result of raising a concern. For instance, if it becomes necessary to give evidence in criminal or disciplinary proceedings, the Authority will provide the necessary advice about the procedure and give whatever practical support that is possible.
- 9.9 The Authority accepts that employees need to be assured that the matter has been properly addressed and will ensure this happens.
- 9.10 Subject to legal and confidentiality constraints, employees will normally receive feedback about the outcomes of any investigations.
- 9.11 The Director of Corporate Resources, in conjunction with the Director who has responsibility for the relevant department of the Authority, will be responsible for monitoring the outcome of the concerns raised through this Policy.

10. Taking the concerns externally

- 10.1 This Policy is intended to provide employees with an avenue to raise concerns within the Authority. The Authority hopes that employees will be satisfied with any action taken under this Policy.
- 10.2 There may be circumstances where an employee considers that they need to raise the matter externally. This may be because, for example, the need to involve the appropriate external regulatory body or the employee considers that the matter has not been properly addressed, or that an employee reasonably believes that the matter will be or has been covered up.
- 10.3 If an employee takes the matter outside the Authority confidential information should not be disclosed. The Public Interest Disclosure Act does not provide blanket protection and could leave employees vulnerable to disciplinary or other action if they disclose confidential information in circumstances not covered by the Act.
- 10.4 To qualify for the protection afforded by the Public Interest Disclosure Act an employee must ensure that any disclosure is protected within the meaning of the Act and that it complies with a set of specific conditions which vary according to whom the disclosure is made.
- 10.5 If employees feel it is right to take the matter outside the Authority, the following are possible contact points:
- an Authority Member;
 - the external auditor;
 - the Police

- an external regulatory authority;
- employee's relevant professional bodies or regulatory organisation;
- employee's trade union;
- employee's solicitor;
- a relevant voluntary organisation; or Public Concern at Work.

10.6 If an employee is unsure whether or how to raise a concern or wants confidential advice, contact can be made with the independent charity Public Concern at Work on 020 7404 6609 or at helpline@pcaw.co.uk. Their lawyers can provide free confidential advice on how to raise a concern about serious malpractice at work.

11. The Officer Responsible

11.1 The Director of Corporate Resources, who is the Authority's Monitoring Officer, has overall responsibility for the maintenance and operation of this Policy. A record of all concerns raised and the outcomes will be maintained. The Director will report as necessary on the operation of the Policy, but not on individual cases, to the Standards Committee.

Adopted by the Authority 23rd May 2008 (Minute38/08)

Peak District National Park Authority

Please read the guidance overleaf and send completed forms to IT Support, Aldern House



PERSONAL USE¹ OF PDNPA IT EQUIPMENT- INTERNET - EMAIL

Name: _____

Job Title: _____

I request permission for personal use of:

Permission requested for personal use of:	Frequency of use		
	daily	weekly	monthly
Authority IT equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Access to the internet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use of Authority E-mail system (for sending emails)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If permission is given I understand that:

1. Personal use is governed by the guidance and conditions set out in the Authority’s E-Policy and Guide for Computer Users and failure to comply with these will be treated as misconduct and investigated under the Authority’s disciplinary procedures.
2. Access to the internet, use of e-mail and Authority IT equipment between 0900 -1230 and 1330 -1700 (Monday to Sunday) is for Authority use only and personal use outside these hours is agreed only as long as it is limited, reasonable and in my own time.
3. If personal use impacts negatively on the performance of the system² the situation will be reviewed.
4. The internet, e-mail system and IT equipment should never be used in connection with private trade or business.
5. E-mail and internet access is monitored³ and logged and the Monitoring Officer reviews this log⁴ on an annual basis along with other checks as detailed in the guidance to staff on monitoring.
6. Results of monitoring may require checking personal internet and e-mail use against working time records.

Signed: _____ Date: _____

Authorised by Head of Service: _____ Date: _____

¹ Including use for local community activities/civic/statutory duties – e.g. clubs & societies/parish &/or town council/school governor/magistrate etc.

² Total use of service is automatically monitored

³ Part 3 of the Data Protection Code on Employment Practices, "Monitoring at Work", gives guidance on how employers should comply with the provisions of the Data Protection Act 1998. This says the Authority has to consider whether monitoring intrudes unnecessarily on the employee's privacy. Following the Code's suggestion, the Authority has actively considered whether the risk which monitoring is designed to address justifies the intrusion into individuals' privacy by monitoring and, as a result, will:

- limit monitoring to traffic data rather than the contents of communications
- undertake spot checks and an annual check rather than continuous monitoring
- use 'Surf Control' software to automate the monitoring so as to reduce the extent to which extraneous information is made available to any person other than the parties to a communication
- target monitoring on areas of highest risk.
- inform staff if the content of their e-mails is to be examined having isolated these e-mails on the system so that they cannot be erased

⁴ It is understood that some sites may look as if personal use is being made of the internet due to the nature of work undertaken for the Authority and this will be taken into account as part of the monitoring

Guidance:

The requirement for you to obtain permission for any personal use of the Authority's e-mail system, internet and IT equipment is governed by the Authority's E-Policy and Guide to Computer Users and includes:

Personal Use of E-Mail, Internet and IT Equipment

1. You must not use the e-mail system, the internet and IT equipment for personal use **during work time** except for **occasional** use as follows:

- To send (or receive) a brief personal e-mail to let somebody know an arrangement or confirm a booking or because you have been contacted at work mistakenly and you need to advise somebody to contact you at home.
- To access the internet to check something urgently e.g. the weather, travel times
- To forward e-mails received at work to your home computer because they are insufficiently related to your work to spend time on but wish to read at home or because you want to carry out some work at home, e.g. for continuing professional development or changes in policies/ legislation that affect your work.

2. Any use of the e-mail system, internet and IT equipment over and above that explained at (1) needs permission using the form overleaf and must be done in your own time.

E-mail

4. You must not use email either in or out of work time:

- to copy or transmit software, documents or other information protected by copyright law
- to abuse, threaten or harass others, send defamatory, obscene, sexist or racist messages or jokes, or use inappropriate language
- to send or forward an electronic chain letters/emails or in any other way publish junk emails (otherwise known as SPAM)
- to obtain or send inappropriate text and images
- to promote any form of criminal activity
- in connection with, or to promote your private trade or business (please ask if you are unsure)
- to advertise - use the For Sale public folder in Outlook

5. You must not give your work email address as a contact address for out of work interests. You can access web based personal email accounts as long as you use it in accordance with this guidance.

Internet

6. You must not use, or try to use, either in or out of work time the Authority's internet facilities for⁵:

- accessing communications intended for someone else
- breaking through security controls on either internal or external computer equipment or giving someone else the information they need to do so
- accessing or transmitting computer viruses or carrying out any activities that could cause congestion or disruption of computer networks and systems
- obtaining or sending inappropriate⁶ text and images
- infringing copyright laws
- downloading or uploading any document, information or software (e.g. videos, movie files, games, music, screensavers) protected by copyright
- knowingly doing anything which is illegal or unlawful.
- signing up to inappropriate mailing lists
- any activities related to your private trade or business
- hacking, gambling or Instant Messaging

7. Please note:

- Personal purchases made over the Internet are the responsibility of the employee not the Authority.
- Access to certain internet sites containing streaming audio and video, e-Bay, social networks, etc is blocked unless specific permission has been granted in connection with a work activity.

IT equipment

7. You must not either in or out of work time:

- Load (or download from the internet) any program onto a PC or laptop without permission from IT. (It is illegal to copy or install software that has not been obtained under the terms of a software licence agreement)
- Use Authority issue memory sticks/cards, CD/DVDs for private use. Personal memory sticks etc. must not be used with Authority equipment without permission.
- Install games, freeware, shareware, screensavers and browsers on Authority equipment.
- Use printers/scanners/copiers for personal use unless prints are paid for

⁵ This list is not exhaustive.

⁶ (of a sexual, violent or discriminatory nature)

STAFF DECLARATION OF INTEREST FORM (HR 29)

Name: _____

Job Title: _____

I wish to register the following personal interest(s) in a matter which is being handled by the Authority as part of its business and where there could be a perception of conflict between my personal interest and public duties:

A. My interests

Nature of interest (1)	Relating to (2)

(1) Please state if a financial interest (i.e. you stand to gain or lose financially) or a non financial interest (i.e. you stand to gain or lose some non financial advantage or benefit)

(2) Please state what your interest relates to (e.g. a planning application, a grant application, a contract for supplies, a tender for a contract, a legal agreement) and give enough detail so that it is clear

B. Interests of my partner, a member of my family and close friends (these have to be declared to ensure there is no perception that you could use your influence or knowledge to the benefit of your family or close friends)

Name and Relationship to you (3)	Nature of interest (4)	Relating to (5)

(3) Please state the relationship of the person to you e.g. partner, brother, sister in law, son, friend

(4) Please state if a financial interest or a non financial interest

(5) Please state what the interest relates to (e.g. a planning application, a grant application, a contract for supplies, a tender for a contract, an employment application, a legal agreement) and give enough detail so that it is clear

I confirm that I will not be involved in the processing of the matter nor in any way attempt to advise or influence the decision made by the Authority or its staff other than by use of my rights as an ordinary member of the public (and in this respect I will ensure that my behaviour and actions can be clearly seen by others as no more than a customer of the Authority)

I understand that this completed form will be copied to the relevant service for the case file if appropriate and kept in a register of staff interests by Democratic Services staff on behalf of the Monitoring Officer. I am aware that this register will be open to inspection by persons who need access e.g. the auditors and the Ombudsman and that non personal information from it could also be used to respond to any public enquiries/complaints.

I understand that the Monitoring Officer will review the register of interests each year along with other checks as detailed in the guidance to staff on monitoring.

I have informed my line manager(s) namedof the above.

Signed:.....**Date:**.....

Office Use:

Copied by Democratic Services to:.....Date.....

Reviewed and categorised by Monitoring Officer.....Date.....

Guidance:

It is your responsibility to decide whether you have a personal interest in a matter being handled by the Authority. In making this judgement you should also think about what a reasonable member of the public might think. The following guidance is provided to help you.

The requirement for you to declare an interest is governed by legislation, the employee code of conduct and the Authority's Anti Fraud and Corruption Policy. The key messages from these are:

1. You are required to declare any financial interest in any business conducted by the Authority
2. You are required to declare any non financial interest in any business conducted by the Authority
3. You are required to declare both your interests and those of your partner, a member of your family and close friends (where known)
4. This includes for example interests relating to a planning application, a grant application, a contract for supplies, a tender for a contract, a legal agreement, an employment application of a relative/friend. It also includes interests in connection with a business where you have already obtained (through your line managers and registered with HR and Performance) authority to engage in another business or additional employment
5. Orders and contracts, grants and planning decisions must be decided on merit and no special favour may be shown to businesses run by for example friends, partners or relatives. This also applies to current or recent former employees or their partners, close relatives or associates in awarding of contracts to businesses run by them or employing them in a senior or relevant managerial capacity
6. In declaring an interest you are expected to ensure you are not involved in processing a matter and in no way attempt to influence or advise on the issue/decision made by the Authority
7. This includes any decisions made on recruitment, discipline, promotion or pay adjustments for any potential or existing employee who is a relative, partner or friend

These arrangements are important because:

- a) They protect staff. If there is something in your life away from work that may be thought relevant to your employment with the Authority, it is important to be able to demonstrate that this has been dealt with appropriately. This will protect you from any accusations that you have a "hidden agenda", or are seeking to use your official position for the advantage of yourself, your family or your friends.
- b) They protect the reputation of the Authority. We need to be able to show that, in any situations where there may be a conflict between personal interests and public duties, decisions have been taken purely in the public interest. Perceptions are almost as important as reality in this area. It is important not only that we do act properly, but that we can demonstrate that we have done so.

Please do not hesitate to contact Ruth Marchington, the Monitoring Officer or Eugene Judge, Deputy Monitoring Officer if you have any queries on whether to declare an interest or not.

Staff Declaration of Offers of Gifts or Hospitality



Aldern House . Baslow Road . Bakewell . Derbyshire . DE45 1AE Tel: 01629 816200 Fax: 01629 816310
E-mail: customer.service@peakdistrict.gov.uk

This declaration should be completed even though an offer has been declined.

Please complete and pass to the Democratic Services Team so that the declaration can be entered in the Register.

Name:.....

Position:.....

Description of gift or hospitality offered:.....

.....

.....

Why was this gift or hospitality offered? (If known please say so)

.....

.....

Offer made by:

Name:.....

Address:.....

.....

Date offer received:.....

Accepted or Declined:.....

.....

Estimated value of gift or hospitality.....

If you have accepted this gift or hospitality are you satisfied that such acceptance fully complies with the Authority's Gifts & Hospitality Guidance given overleaf? YES/NO

Signature.....

Date:.....

Gifts and Hospitality Guidance

1. **In principle you are expected to refuse any gifts and hospitality** offered to you by any person or body that has, or seeks, any dealings with the Peak District National Park Authority.
2. **However, you may accept:**
 - Gifts of a token/marketing nature, such as a pen, diary, calendar or key ring which often can be kept in the workplace.
 - Hospitality, such as lunches/evening meals, if there is a genuine need for you to impart information or represent the Authority. Offers to attend functions should only be accepted where they are part of the life of the community or where the Authority needs to be seen to be represented.
 - Hospitality through attendance at sponsored conferences and courses where it is clear the hospitality is corporate rather than personal, where the Authority gives consent in advance and where the Authority is satisfied that any purchasing decisions are not compromised.

Please check with your manager if you are unsure.

3. **You must not accept:**
 - Hospitality of any description from contractors/consultants during the tendering period of a contract
 - Gifts or hospitality (other than a simple hot or cold drink) from any current or potential planning or grant aid applicant
 - Payment of expenses or hospitality where visits to inspect equipment etc are required, to avoid jeopardising the integrity of subsequent purchasing decisions.

4. **Declining gifts and hospitality:**

If you need to decline an offer of a gift or hospitality, those making the offer should be thanked and told why acceptance is not appropriate. If a gift needs to be returned, care must be taken not to offend the giver. Sometimes it may be more appropriate to thank the giver in writing and suggest that the gift could be given to Democratic Services to enter into our annual charity raffle if he/she agrees.

5. **Thank you gifts**

On some occasions staff receive a gift as a 'thank you' for excellent service provided e.g. flowers and cakes. Perishable gifts of this nature which cannot be returned or entered into a raffle can be accepted as long as they are of nominal value, are not as a result of 3 above, your manager is advised and acceptance is recorded

6. **Recording offers whether accepted or not**

All offers of gifts and hospitality, no matter how small, and whether or not they are accepted **MUST** be declared as soon as possible. They must be registered on the relevant form kept by Democratic Services. This form asks you to record the value of a gift/hospitality, why you have been offered a gift/hospitality and the organisation/individual that has offered it. On receipt of the form, Democratic Services make an entry in the official register which is a public, auditable record. Please note that the register is reviewed annually by the Monitoring Officer alongside other checks as detailed in the guidance to staff on monitoring in the employee code of conduct.

7. Please remember that the acceptance of gifts/hospitality could result in misunderstandings by the public or even accusations of bribery and corruption. So before you accept anything always ask: why am I being offered a gift or hospitality? What would the public perception be of accepting an offer?

Advice on gifts and hospitality is given in our Employee Code of Conduct which is part of the terms and conditions of employment for all members of staff. We have been waiting for a new Code from the government for some time which may include amended guidance on gifts and hospitality. In the meantime the guidance given above will continue to apply.

Please contact the Director of Corporate Resources or the Democratic Services team if you need advice now or at any time in the future.

Ruth Marchington
Director of Corporate Resources and Monitoring Officer

June 2009/A139

M/shared/Comserve/Gifts & Hospitality/ Declaration Form & Guidance Staff June 09

Form HR24

REQUEST TO ENGAGE IN ANOTHER BUSINESS OR TAKE ON AN ADDITIONAL APPOINTMENT



To: _____ / _____ / _____
(Head of Service) (Director) (Head of Human Resources and Performance)

From: _____

In accordance with the Authority's Standing Orders, I apply for permission to engage in another business / take on an additional appointment, as follows:

with effect from _____. This will be PAID / UNPAID and will involve an average of _____ hours per WEEK / MONTH which will be IN MY OWN TIME / OCCASIONALLY IN AUTHORITY TIME (*for a public duty for which absence is permitted see Note 5*). This permission is REQUIRED INDEFINITELY / WILL END ON _____

I confirm that:

- a) this external interest will be subordinate to my work as an officer of the Authority;
- b) that as part of my work at the Authority I will not be involved in the processing of any matter or in any way attempt to influence any decision that might be connected to my additional appointment or another business and that I will immediately report a conflict of interest or potential conflict should one arise;
- c) I am aware that this form will be kept on a register in HR and Performance and is available for public inspection;
- d) I understand that the register will be reviewed periodically alongside other checks requested by the auditors as detailed in the guidance to staff on monitoring in the Code of Conduct for Employees.

Signed: _____ Post: _____

Date: _____

Head of Service's comments (including any mitigating action to avoid a potential conflict of interest):

I RECOMMEND / DO NOT RECOMMEND this application for acceptance:

Signed: _____ Date: _____

Director's decision:

- * I approve this application from the date shown
- * I do not approve this application for the following reason(s): _____

Signed: _____ Date: _____

- Notes:
1. Employees' off-duty hours are their personal concern but they should not subordinate their duty to their private interests or put themselves in a position where their duty and their private interests conflict. The Authority will not attempt to preclude employees from undertaking additional employment but any such appointment must not conflict with or react detrimentally to the Authority's interests, or in any way weaken public confidence in the conduct of the Authority's business.

Consequently, the Authority's Standing Orders require that employees graded within Scale H and above may not engage in any other business or take up an additional appointment without the express consent of the appropriate Director. (Directors will require the consent of the Authority.)

2. Employees must not exceed the maximum hours required under the Working Time Directive (no more than 48 hours per week averaged over 17 weeks) when the work with the Authority and additional work are considered together. Advice should be sought from the Head of Human Resources and Performance, in advance, if aggregated hours are likely to exceed the Working Time Directive limit.
3. On completion, this form should be sent to the Head of Human Resources and Performance who will advise the applicant of the decision and retain the form on a register of declarations.

As the register of requests is open to public inspection, all comments made should be relevant and professional.

4. The register should be kept up to date so staff will be asked annually if their declaration is still active. Staff should advise HR & Performance during the year if their circumstances change or their outside business interest or additional appointment ceases. The Register will be subject to checks against other registers as required by the auditors, e.g. people undertaking work on a contract for services by the Authority
5. There is statutory provision for appointees to specified public appointments to apply for reasonable, unpaid, time off during working hours. Public appointments include Justice of the Peace; member of a Local authority; member of the Broads authority; member of a statutory tribunal; member of a Regional Health Authority; member of the governing body of a grant maintained school, higher education corporation or the board of management of a college of further education; member of the managing or governing body of a local authority maintained educational establishment; member of the National Rivers Authority or River Purification Board; member of a board of visitors to a prison, remand centre or young offenders institution; member of the teaching councils for England & Wales; member of the Scottish water and sewerage authorities or the Water Industry Consultative committees. This list is subject to modification by the Secretary of State.

Reasonable unpaid time off is a balance between the employees need to undertake essential public duties and for the employer to have work done. Advice is available from HR & Performance.

First issued: August 1993

Revised: July 2009