## PART 5B - EMPLOYEE CODE OF CONDUCT

### OUTSIDE COMMITMENTS AND PERSONAL INTERESTS

#### DECLARATION OF INTERESTS

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Principles</td>
<td>2</td>
</tr>
<tr>
<td>Requirements for Declarations of Interests</td>
<td>3</td>
</tr>
<tr>
<td>RBK’s Procedure For Declaration of Interests</td>
<td>3</td>
</tr>
<tr>
<td>Guidance on Declarations of Interest</td>
<td>3</td>
</tr>
<tr>
<td>What is a “relevant interest”?</td>
<td>4</td>
</tr>
<tr>
<td>Financial Interests</td>
<td>4</td>
</tr>
<tr>
<td>Non-Financial Interests</td>
<td>4</td>
</tr>
<tr>
<td>When should an interest be declared?</td>
<td>5</td>
</tr>
<tr>
<td>Guidance for Directors in Considering Declarations of Interests</td>
<td>6</td>
</tr>
<tr>
<td>Applications to Undertake Additional Employment</td>
<td>6</td>
</tr>
<tr>
<td>Financial and Non-Financial Interests</td>
<td>6</td>
</tr>
<tr>
<td>Guidance for Directors</td>
<td>7</td>
</tr>
<tr>
<td>Conclusions</td>
<td>7</td>
</tr>
</tbody>
</table>

#### RBK’S PROCEDURE FOR THE DECLARATION OF INTERESTS

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>RBK - DECLARATION OF INTERESTS</td>
<td>11</td>
</tr>
</tbody>
</table>

### WHISTLEBLOWING POLICY

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 POLICY STATEMENT</td>
<td>18</td>
</tr>
<tr>
<td>2 INTRODUCTION</td>
<td>19</td>
</tr>
<tr>
<td>What is Whistleblowing?</td>
<td>19</td>
</tr>
<tr>
<td>Why does the Council need a Whistleblowing procedure?</td>
<td>19</td>
</tr>
<tr>
<td>Who can use the Council’s whistleblowing procedure?</td>
<td>20</td>
</tr>
<tr>
<td>When should I raise a concern?</td>
<td>20</td>
</tr>
<tr>
<td>How does this procedure fit with the Council’s other procedures?</td>
<td>20</td>
</tr>
<tr>
<td>Role of Trade Unions</td>
<td>20</td>
</tr>
<tr>
<td>Who do I tell?</td>
<td>20</td>
</tr>
<tr>
<td>If you work in a school:</td>
<td>20</td>
</tr>
<tr>
<td>If you work for an agency or are a temporary worker:</td>
<td>20</td>
</tr>
<tr>
<td>If you work for a company that has a contract with the Council:</td>
<td>21</td>
</tr>
<tr>
<td>Is there any support available for me?</td>
<td>21</td>
</tr>
<tr>
<td>What is my role as a manager?</td>
<td>21</td>
</tr>
<tr>
<td>What happens next?</td>
<td>22</td>
</tr>
<tr>
<td>What happens in an internal investigation?</td>
<td>22</td>
</tr>
<tr>
<td>Will I be involved in an investigation?</td>
<td>22</td>
</tr>
<tr>
<td>Will I get into trouble? And will anyone find out that I have ‘blown the whistle’?</td>
<td>22</td>
</tr>
<tr>
<td>Where can I get independent advice about raising a concern?</td>
<td>23</td>
</tr>
<tr>
<td>Can I take the matter further?</td>
<td>23</td>
</tr>
<tr>
<td>Can I refer the matter outside of the Council?</td>
<td>23</td>
</tr>
<tr>
<td>Our Commitment to You</td>
<td>24</td>
</tr>
<tr>
<td>Your Protection</td>
<td>24</td>
</tr>
<tr>
<td>What is the Public Interest Disclosure Act?</td>
<td>24</td>
</tr>
<tr>
<td>Telling other people confidential information</td>
<td>24</td>
</tr>
<tr>
<td>Who is responsible for this policy?</td>
<td>24</td>
</tr>
<tr>
<td>Mediation and dispute resolution</td>
<td>25</td>
</tr>
<tr>
<td>Accountability</td>
<td>25</td>
</tr>
<tr>
<td>Whistleblowing - Summary</td>
<td>25</td>
</tr>
</tbody>
</table>
OUTSIDE COMMITMENTS AND PERSONAL INTERESTS
DECLARATION OF INTERESTS

General Principles

1. All employees have a responsibility to act in a way in which will ensure that public confidence in their honesty and integrity is maintained. Public confidence can be affected by public perceptions of employees’ conduct. Therefore it is important that employees not only maintain high standards of conduct at work but also that they avoid the appearance of any improper conduct. Involvement with outside activities may sometimes affect duties and responsibilities at work. Employees must be able to demonstrate, should any questions arise, that their judgement and actions at work are objective and impartial and are not affected or influenced by personal considerations arising from their commitments and/or activities outside work. It follows that employees should not put themselves in a position where potential conflicts of interest may arise, or be perceived to arise, between their private interests and their responsibilities as RBK employees.

2. The Council expects that its employees will make every reasonable effort to avoid putting themselves in a position where a conflict or perceived conflict, of interest may arise. One of the ways employees can safeguard their integrity in this respect is to place on record any outside activities which might potentially give rise or be perceived to give rise to conflicts of interest. Openness about private interests provides the opportunity for employees to consider, in discussion with their managers, whether pursuit of an interest might conflict or be seen to do so, with their responsibilities at work and how any potential conflict might be avoided. Being open about personal commitments and activities enables employees to avoid putting themselves in a position where a conflict might arise between their personal pursuits and their employment with the Council. By declaring private interests employees will be able to confirm in the event of any challenge, that they have properly advised the Council. Employees’ actions can be examined, if the need arises, in the light of their declared interest. Declarations of interest help to protect the reputation of RBK staff for honesty and integrity.

3. Accordingly employees are required to declare any interests - relevant private commitments or activities - which might potentially give rise to a conflict, or might be perceived by the public to give rise to a conflict, with their work responsibilities.

4. Employees should seek advice from their manager before committing themselves to a course of action. If employees are in any doubt about the potential relevance of an interest, they should seek advice from their manager. Failure to disclose a relevant outside interest is considered a breach of RBK’s standards of conduct and may lead to disciplinary action.

5. The Council will not seek unreasonably to restrict employees’ activities. However the Council considers that employees have an obligation to avoid putting themselves in a position in which they are unable fully to undertake their duties for RBK because a conflict of interest. Employees need to consider whether an interest is compatible with their responsibilities for RBK.
Requirements for Declarations of Interests

6. Employees must declare any relevant non-financial interests which they consider could give rise to a conflict of interest or could reasonably be seen as giving rise to such a conflict with the Authority’s interests. RBK places a high level of trust in staff and does not require comprehensive disclosure of all leisure and personal activities and interests. However any relevant non-financial interests must be disclosed.

7. Employees must declare any relevant financial interests, which could conflict, or be seen to conflict with RBK’s interests. Such interests include additional employment. All staff must declare any additional employment within or outside the Council. Employees above Grade F both full and part time, must obtain prior consent before taking up any additional employment or engaging in any other business including company Directorships: this is known as the Whole-Time Service requirement. In the context of additional employment employees should be aware that RBK reserves its legal rights to ownership of intellectual property/copyright insofar as it may be created during employment by RBK.

8. Employees must declare membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct.

RBK’s Procedure For Declaration of Interests

9. The procedure which non-teaching staff and centrally employed teachers should follow to seek to declare private interests and/or apply for consent to take up additional employment is set out in RBK’s Procedure for the Declaration of Interests. A copy is attached to this Code of Conduct. This procedure sets out the steps employees must follow to meet the requirements of this Code in practice. The procedure provides for disclosures by employees to be discussed with their line managers and considered by their service Director and, in the case of Directors/Chief Executive, by the Chief Executive/ Executive Head of Organisational Development and Strategic Business. The Procedure provides a framework within which questions of potential conflict of interest are addressed. It is emphasised that employees should provide managers with full details of interests at an early stage so that there can be informed discussion of the issues.

Guidance on Declarations of Interest

10. The guidance which follows is intended to:-

- amplify and illustrate RBK’s requirements for the declaration of interests;
- provide clarity about the issues employees and managers need to take into account when considering the pursuit of outside interests;
- ensure that employees and managers know what their obligations and responsibilities are and how they are to be met in practice;
- set out the main questions Directors will wish to address when considering declarations of interests by employees; and
- specifies how the guidance relates to the personal position of Directors and the Chief Executive.
What is a “relevant interest”?

11. RBK acknowledges that many staff live within or near the Borough and to that extent they have an “interest” in the Council’s affairs beyond those of employees generally. However the Procedure is concerned with those activities and interests in employees’ personal lives which might be considered by the Council or the public, to impinge upon their responsibilities in their jobs. An interest will be “relevant” if it provides scope for a public perception of a conflict with work responsibilities. Relevant interests may be broadly categorised as financial or non-financial.

Financial Interests

12. RBK’s requires employees to declare any relevant financial interests which could conflict with the Council’s interests, for example:

- property holdings in the Borough which generate an income.
- Directorships and/or share holdings in companies which either deal with RBK or operate in the Borough.
- pecuniary interest in Council contracts; personally or in respect of a spouse/partner, or other close relationship.
- additional employment within or outside RBK.

13. Employees should not take up other employment which conflicts with the Council’s interests. All staff must declare any additional employment. This requirement applies not only in the context of potential conflicts of interest but is also necessary to enable the Council to fulfil its responsibilities in respect of Health and Safety legislation, in particular the Working Time Regulations. Employees graded above Grade F should note that they are required not only to declare additional employment, but to seek prior approval before taking up another job or engaging in any other business including Company Directorships. It is good practice for all staff to seek such prior approval. RBK will not unreasonably seek to prevent staff from taking up other jobs. However, the Council must be satisfied that the employment does not represent a potential conflict of interest.

14. Many other circumstances may arise where there may be the potential for a conflict of interests. For example:

- personal relationships between those responsible for authorising and those applying for Council services, such as housing, social services or education awards;
- personal relationships between those recruiting to and those applying for employment with RBK,
- relationships in a private or domestic capacity with Council contractors.
- relationships in a private or domestic capacity with tenderers for Council contracts,
- a senior planning officer purchasing a property in a new development in the Borough.

Non-Financial Interests

15. There may be circumstances where an individual’s pursuit of non-financial private interests conflicts with his/her responsibilities as a Council employee, or could reasonably be seen as a source of conflict.
16. Ordinarily the Council would not expect to have details of what are, essentially, private affairs, but to avoid the possibility of any conflict of interest arising, employees should consider whether any activities in which they are involved could possibly give rise to such a conflict.

17. Professional staff are bound by their professional standards and this guidance, therefore, needs to be read in conjunction with well understood rules of conduct.

18. It is emphasised that the Council considers that the burden of disclosure rests with the individual employee in these matters. The Procedure does not require comprehensive disclosure of each and every leisure and personal interest and activity. The Council places a high degree of trust in its staff. However, staff must declare any relevant non-financial interests which could give rise to a conflict of interest, or could reasonably be seen by the Council or the public as giving rise to such a conflict.

19. Examples could include:
   - Membership of organisations or interest groups in the community. An employee might be asked to provide advice based upon his/her knowledge of Council activities.
   - Involvement with an organisation which receives grant aid from the Authority.

20. In the context of non-financial interests, the Council requires staff to declare membership of ‘secret societies’ i.e. any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules of membership or conduct. This includes membership of Freemasonry.

21. In summary, the definition of a “relevant interest” will depend upon the nature of the interest and the particular responsibilities of the job. While this guidance is intended to be comprehensive the examples given are necessarily illustrative, rather than exhaustive. The primary judgement that employees need to make is whether there is any scope for a public perception of a conflict of interest. Failure to disclose a relevant outside interest is considered a breach of RBK’s standards of conduct and may lead to disciplinary action. Therefore in the event of any doubt about the relevance of any particular activity, financial or otherwise, advice should be sought from the line manager. However in seeking advice employees should bear in mind that they are best placed to know how any conflict might arise between their job and the interest under consideration.

When should an interest be declared?

22. The purpose of requiring declarations of interest is
   - to safeguard employees from placing themselves in positions where conflicts of interest may arise;
   - to help employees to avoid placing themselves and the Council in a position in which they are vulnerable to criticism or complaint; and
   - to prevent employees from putting themselves in a position in which they are unable fully to do their job.
23. It follows that interests should be declared at the earliest opportunity at the point when an employee considers there is the realistic possibility of a potential for conflict arising between his/her work responsibilities and personal activities/commitments. Employees must declare any interests before committing themselves to a course of action. There must be an early dialogue with the line manager to establish whether or not pursuit of an interest will present a conflict with employment responsibilities. This applies equally to Directors and the Chief Executive as to other employees. It must be emphasised that it is the Council’s expectation that employees are under an obligation to avoid putting themselves in a position in which because of a conflict of interest, they are unable to carry out the full requirements of their job. There may be circumstances in which employees may need ultimately to consider whether pursuit of a particular interest is compatible with their employment by RBK. The issue of when to declare an interest, like that of the definition of a relevant interest, will, necessarily, be a matter of judgment. However it is emphasised that in the event of doubt it is better to speak sooner rather than later.

**Guidance for Directors in Considering Declarations of Interests**

24. The guidance which follows is intended to be illustrative rather than an exhaustive list of questions to be considered. Directors may wish to seek advice from the Executive Head of Organisational Development and Strategic Business in specific cases.

**Applications to Undertake Additional Employment**

25. There is an obligation on employees above Grade F to seek consent before taking up additional employment.

26. The issues to be considered by Directors in considering requests for employees who wish to pursue outside activities are:

- What is the nature of work to be undertaken?
- Would this present a conflict of interest with the employee’s official duties?
- When is it proposed to undertake the activity and over what length of time?
- Would this in any way affect the employee’s ability to discharge his/her responsibilities for RBK?
- Are there any implications in respect of the Working Time Regulations?
- Does the employee have any personal interest in the company or organisation?

**Financial and Non-Financial Interests**

27. In relation to other financial and non-financial interests, Directors will wish to consider the extent to which the declared, private interest represents a conflict of interest with an employee’s responsibilities, or could reasonably be seen as a source of conflict by the Council or a member of the public.

28. In responding to requests for guidance from employees or in considering completed declaration forms, questions which Directors will want to pose include:

- what level of involvement does the employee have in the organisation or company concerned?
29. In considering an employee’s membership of particular organisations, the issue should not be confined to considering the membership itself, but rather the use to which an employee may put his/her involvement with the organisation or the position into which they may be placed as a result of membership.

- is the organisation (or property holding) concerned located within the Borough or, does it operate within the Borough?
- to what extent does the employee concerned have scope to influence the decision making process?
- to what extent does the individual’s work bring him/her into contact with other employees who are involved in the decision making process;
- could employee’s workload be re-organised so that any potential conflict is removed;

30. If an employee is excluded from any particular work activity due to a potential conflict of interest, the service Director will be responsible for ensuring that relevant staff within and outside the Directorate and Members are notified of the exclusion and the reason for it.

Guidance for Directors

31. The Council’s requirements and guidance in respect of declarations of interests apply to all staff including Directors and the Chief Executive. However the Procedure is necessarily modified for Directors to provide for consideration of any declared interests, or proposals to undertake additional appointments, to be the responsibility of the Chief Executive. Disclosures by Directors will be notified to the Party Group Leaders. In view of the public profile of Directors and the nature of their responsibilities, it is emphasised that the need for early discussion of any potential conflicts of interest is particularly important. The Executive Head of Organisational Development and Strategic Business is available to advise the Chief Executive in respect of his/her personal position.

Conclusions

32. RBK’s Procedure for the Declaration of Interests which sets out the process to be followed and form to be completed to declare an interest or seek consent to take up another job is attached. You should read the Procedure carefully. Any questions about this guidance or the Procedure should be raised with line managers in the first instance. Further advice and/or copies of this Code of Conduct and the Procedure for Declarations of Interest are available from Human Resources
### RBK’S PROCEDURE FOR THE DECLARATION OF INTERESTS

#### INTRODUCTION

RBK has adopted a Code of Conduct for employees. This includes guidance on the importance for employees of avoiding conflicts of interest between their personal activities and their responsibilities at work and requirements for employees to declare relevant personal interests. The key points from this guidance are set out below together with the Procedure for declaring interests. A form is also attached for your use. **You should read the Code of Conduct and this Procedure carefully.** If you are in any doubt about how to comply with RBK’s requirements and the Procedure, approach your manager for advice.

#### DECLARING INTERESTS - KEY POINTS TO CONSIDER

- The purpose of declaring interests is to protect your interests and the Council’s.
- The burden of disclosure is on you.
- Remember the test to apply when judging whether or not you have a relevant interest which you ought to declare is not whether *you* think there is a conflict of interest but whether a *member of the public* might perceive there to be the appearance of a conflict or potential conflict.
- It is the Council’s expectation that you will avoid putting yourself in a position where a conflict of interest might arise or be perceived to arise.
- If you have an interest to declare or think you may have, speak to your manager *before* you commit yourself.

#### PROCEDURE FOR DECLARING INTERESTS

**How should relevant interests be declared and recorded?**

The objective of this Procedure is to safeguard employees by encouraging openness and enabling employees to register interests. It follows that declarations of interest must be properly noted and recorded.

**Step 1.** Employees seeking to declare financial or other interests or permission to take up additional employment must complete the attached form, giving full details and give it to their manager. This form will provide the basis for discussion with the line manager and will facilitate an informed assessment of the circumstances of the case.

**What happens next?**

**Step 2.** Managers will meet with employees to discuss their declaration. The purpose of the meeting is to ensure that all relevant details are fully explored and recorded and to discuss joint perspectives on the issue. Managers will record their comments on the form before submitting it to the Director for consideration.
Step 3.
Directors will consider the information submitted, in conjunction with the Executive Head of Organisational Development and Strategic Business as necessary. Directors will not restrict unreasonably an employee’s outside interests. Careful judgements will be exercised by Directors to ensure that a balance is achieved between the need to avoid the potential for a perceived conflict of interest and the need to ensure that unreasonable restrictions are not imposed upon employees.

However if, in a Director’s judgement, having considered all the facts fully, it is felt that there is scope for an actual or potential conflict of interest, or that there are reasonable grounds for public perception of a conflict of interest, then the Director will advise the employee and the line manager of his/her decision. The Director will advise the employee not to pursue their outside activity or to organise his/her work in such a way as to remove the source of the conflict. The Director will refer the Declaration and the record of his/her decision to the Executive Head of Organisational Development and Strategic Business for recording.

If the nature of the potential conflict is such that it cannot be avoided e.g. where it relates to partners’ interests, and if the consequence is that an employee must be excluded from a particular work activity, it is the responsibility of the service Director to notify the relevant staff within and outside the Directorate, and Members, if relevant, of the exclusion and reason for it.

Where an employee declares an outside interest to his/her Director and after careful consideration, it is not felt that any conflict exists, the Director will refer the declaration for approval and recording by the Executive Head of Organisational Development and Strategic Business.

Register of Interests

All Declarations of Interest will be held by the Executive Head of Organisational Development and Strategic Business in a Register of Interests, which will be open to public examination.

APPLICATION OF THE PROCEDURE TO DIRECTORS/CHIEF EXECUTIVE

This Procedure also applies to Directors/the Chief Executive, modified to the extent that declarations of interests and/or requests to undertake additional appointments will be considered and determined by the Chief Executive and the Executive Head of Organisational Development and Strategic Business. In addition, the Chief Executive will notify the Party Group Leaders of any disclosures. It is emphasised that the high profile and strategic responsibilities of Directors are such that the requirement for early dialogue in respect of issues where the potential for conflict might arise, is of paramount importance.
MAKING A DECLARATION - HOW TO COMPLETE THE FORM

- The form you should fill in to apply to declare an interest is attached.
- It is important that you complete this form fully and accurately.
- The form has seven parts; Parts 1 to 4 are for you to complete.
- Any relevant non-financial interests should be set out at Part 1.
- Any relevant financial interest should be set out at Part 2.
- Staff graded above Grade F applying for consent to undertake additional employment should complete Part 3.
- If any part does not apply to you please state “Not Applicable”.
- Please ensure you read the undertakings and sign and date the completed form at Part 4.
- Give it to your manager who will discuss your declaration with you and refer it with comments to your Director.
- Your Director (or, in the case of Directors, the Chief Executive) will consider your declaration in conjunction with the Executive Head of Organisational Development and Strategic Business. You will be notified of a decision, as soon as possible.

If you have any questions about filling in the form, contact Human Resources.
RBK - DECLARATION OF INTERESTS

Full Name: (block capitals please):

Job Title: Full or Part Time:

Directorate:

Line Manager:

PART 1 - DECLARATION OF NON-FINANCIAL INTERESTS

Please provide here full details of any non-financial interest which you wish to disclose. If you need more space, attach an additional sheet. (If you have no interests to disclose here, please state ‘Not Applicable’).

PLEASE TURN OVER
### PART 2 - DECLARATION OF FINANCIAL INTERESTS

Please answer the questions which follow on this page and the next.

<table>
<thead>
<tr>
<th>1. Additional Employment</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Are you employed elsewhere within or outside RBK? <strong>YES/NO</strong></td>
<td></td>
</tr>
<tr>
<td>If ‘YES’, who are you employed by, at what address and in what capacity? How many hours do you work?</td>
<td></td>
</tr>
<tr>
<td>Are you self-employed? <strong>YES/NO</strong></td>
<td></td>
</tr>
<tr>
<td>If ‘YES’, what is the nature of this employment? How many hours do you work?</td>
<td></td>
</tr>
<tr>
<td>What are your place(s) of business?</td>
<td></td>
</tr>
<tr>
<td>Under what name(s) do you trade?</td>
<td></td>
</tr>
<tr>
<td>Are you in (business) partnership? <strong>YES/NO</strong></td>
<td></td>
</tr>
<tr>
<td>If ‘YES’, what is the nature of this partnership?</td>
<td></td>
</tr>
<tr>
<td>What are your firm's place(s) of business?</td>
<td></td>
</tr>
<tr>
<td>Under what name(s) do the firm(s) trade?</td>
<td></td>
</tr>
</tbody>
</table>

**Note:** Staff graded above Scale 6 are required to seek prior permission to undertake employment outside RBK and **must complete Part 3.**

<table>
<thead>
<tr>
<th>2. Property</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you own any property within the Borough in which you do not personally reside? <strong>YES/NO</strong></td>
<td></td>
</tr>
<tr>
<td>If ‘yes’, please give the address(es) of the property and the purpose(s) for which the property is used.</td>
<td></td>
</tr>
<tr>
<td>What gross income, if any, is generated annually?</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Shareholdings</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>You should answer the following questions where an income (dividends and interest) of £1000 per annum or more is generated.</td>
<td></td>
</tr>
<tr>
<td>Do you or your nominees own shares in companies which have dealings with RBK or which operate within the Borough? <strong>YES/NO</strong></td>
<td></td>
</tr>
<tr>
<td>If ‘YES’, in which companies?</td>
<td></td>
</tr>
</tbody>
</table>
PART 2 continued - DECLARATION OF FINANCIAL INTERESTS

Please provide here full details of any other financial interests involving you, your spouse or partner not covered by questions 1 to 4 above which you wish to disclose. If you need more space, attach an additional sheet. If you have no interests to disclose here, you should state ‘Not Applicable’.
<table>
<thead>
<tr>
<th>PART 3 - APPLICATION TO UNDERTAKE ADDITIONAL EMPLOYMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>To be completed by all staff graded above, Grade F applying for consent to undertake additional employment including Company Directorships. Please note that any consent is given subject to a time limit of one year. On expiry of consent, employees must make a further application. Any consent is given on the explicit basis that employees will undertake not to use any Council resources or facilities of any nature whatsoever in connection with the proposed employment.</td>
</tr>
<tr>
<td>Name and address of any other employer(s) and nature of business?</td>
</tr>
<tr>
<td>Nature of work to be undertaken and proposed start date?</td>
</tr>
<tr>
<td>What amount of time (hours/week) likely to be involved in the proposed employment(s)?</td>
</tr>
<tr>
<td>When is it proposed hours will be worked (e.g. evenings/weekends)?</td>
</tr>
<tr>
<td>Nature of employment (temporary/permanent)? Length of time for which consent is sought?</td>
</tr>
<tr>
<td>What is the likely remuneration?</td>
</tr>
<tr>
<td>What is the nature of any present or proposed shareholding or other personal stake in any company or organisation to which the employment(s) relate(s)?</td>
</tr>
<tr>
<td>Please provide here details of any other relevant factors. If you have nothing to add, state ‘Not Applicable’.</td>
</tr>
</tbody>
</table>
## PART 4. - DECLARATION

1. I declare that, to the best of my knowledge and belief, the information I have given in this form is truthful, accurate and complete.

2. I undertake to notify my Director in writing of any changes to this information within 28 days of any such change.

3a (Parts 1 & 2)
   I undertake to ensure that, subject to approval of this Declaration, the interests which I have disclosed will not detrimentally affect my ability to carry out my duties as an RBK employee.

3b (Part 3)
   I undertake to ensure, that subject to the approval of this Application, that this additional employment will not detrimentally affect my ability to carry out my duties as an RBK employee.

4. In making this Declaration I consent to the information contained in it being available for inspection in the Register of Interests, as required by the Council’s Procedure for the Declaration of Interests.

   Directors/Chief Executive only: I also consent to any disclosure being notified to the Party Group Leaders.

5. I agree to abide by any conditions attached to the agreement to my Declaration/Application.

Signed .......................................................... Date .............................................

PRINT NAME ..........................................................
PART 5 - MANAGER’S COMMENTS


PART 6 - DIRECTOR’S/CHIEF EXECUTIVE’S COMMENTS

To be completed by service Director (or, in the case of Directors, Chief Executive).

(I) I have no objection to the declared interest/application to undertake additional employment.

(ii) I have discussed the declaration/application with the employee/manager concerned and have the following reservations/objections/comments which I have notified to them.

Signed ............................................. Date  ......................................

Part 7 Executive Head of Organisational Development and Strategic Business

COMMENTS

To be completed by Executive Head of Organisational Development and Strategic Business.

Decision

Signed ................................................................. Date  ......................................

Executive Head of Organisational Development and Strategic Business.
<table>
<thead>
<tr>
<th>ADMINISTRATION</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director’s decision noted.</td>
<td></td>
</tr>
<tr>
<td>Employee informed of decision to approve Declaration/Application.</td>
<td></td>
</tr>
<tr>
<td>Service Director and line manager notified.</td>
<td></td>
</tr>
<tr>
<td>Form copied to Personal File.</td>
<td></td>
</tr>
<tr>
<td>Record in Register.</td>
<td></td>
</tr>
<tr>
<td>Directors and Chief Executive only: Party Group Leaders to be notified.</td>
<td></td>
</tr>
</tbody>
</table>
WHISTLEBLOWING POLICY

Revised January 2016

1 POLICY STATEMENT

The Council is committed to high quality services and ensuring that it, and the people working for it are open, fair and accountable.

Managers have a duty to prevent dangerous or illegal actions at work. All employees, including those who work for a contractor or agency, have an important part to play and often, it is only through whistleblowing that information comes to light.

Employees are often the first to realise that there may be something seriously wrong within the Council or some part of it and it is recognised that employees may not express concerns they have because they feel that speaking out would be disloyal to their colleagues or the Council. They may also fear harassment or victimisation if they make a stand. In these circumstances employees may feel it is easier to ignore the concern rather than report what may just be a suspicion.

The purpose of this policy is to:

- Encourage and enable the Whistleblower to feel confident in speaking up and raising concerns or suspicions
- Provide the Whistleblower with a confidential method of raising concerns
- Enable the Whistleblower to confidentially raise concerns within the Council environment
- Ensure the Whistleblower receives a response to their concerns and if not satisfied, is aware of how to take the matter further
- Reassure the Whistleblower that they will be protected from reprisals or victimisation for Whistleblowing where they reasonably believe that it is in the public interest.

This policy is not designed to be used;

a) for raising or reconsideration of matters that come under existing internal procedures e.g. Grievance, Disciplinary, Capability, Dignity at Work or the Council’s general complaints procedure; or
b) for allegations that fall within the scope of specific procedures (for example child or vulnerable adult protection) which will normally be referred for consideration under the relevant procedure, unless the employee has good reason to believe that the procedure is not being followed or will not be followed effectively; or
c) as an appeal process from any complaint or grievance handled under any of the above procedures.

The Whistleblowing procedure is primarily for concerns where the interests of the Council, it assets, its users or staff are at risk.
2 INTRODUCTION

What is Whistleblowing?

Someone blows the whistle when they tell someone in authority about a dangerous or illegal activity that they are aware of through their work. This can include health and safety risks, environmental issues, fraud, poor standards of care and other problems.

Why does the Council need a Whistleblowing procedure?

This procedure:
- Supports the Public Interest Disclosure Act
- Gives you a way of raising concerns in a structured and supportive environment within the Council
- Means that you can feel confident to bring up genuinely held concerns without fear of recrimination
- Shows the Council's commitment to investigating and taking firm management action where wrongdoing may be proven
- Encourages and enables you to raise concerns within RBK rather than overlooking problems or "blowing the whistle" outside the Council.

Who can use the Council’s whistleblowing procedure?

- An employee of the Council
- Agency staff, trainees and self-employed staff employed on Council work
- The staff of Council contractors employed on Council work
- Partner agencies (including the NHS and voluntary sector groups undertaking work on behalf of or in conjunction with the Council.

When should I raise a concern?

If you find out about activities that harm clients of the Council, colleagues working for the Council, or the Council itself. These may include:

- Illegal activities
- Miscarriages of justice
- Risks to health and safety
- Damage to the environment
- Misuse of public funds
- Fraud and corruption
- Abuse of clients
- Other wrongdoing, (including attempts to cover up wrongdoing)

For example, you could raise a serious concern about service provision, the actions of officers, or the actions of others acting on behalf of the Council, which:

- Fall below the Council’s standards of practice, including the Council’s Code of Conduct for Employees
- Are against the Council’s Standing Orders and policies
- Amount to improper conduct
How does this procedure fit with the Council’s other procedures?

This procedure does not replace the Corporate Complaints Procedure for people who use the Council’s services, or the Social Services Guidance for Staff Concerned about Staff Conduct Regarding Service Provision.

The whistleblowing procedure is about concerns regarding the public interest. If you are concerned about an issue relating to your personal position at work, you should use the Grievance procedure or another Human Resources procedure.

Role of Trade Unions

The whistleblowing procedure has been developed in consultation with Staff Side Representatives and Teachers’ Professional Associations and has their full support. Your trade union will advise you on raising concerns and/or support you in doing so, as appropriate.

3. The process

Who do I tell?

If you work for the Council:

You should raise any concerns with your line manager. But if you feel unable to do so or you are concerned about something serious, you may approach other senior officers or Councillors (see below – Can I take the matter further?). This may include a senior manager, your Head of Service, Director, the Chief Executive or a Councillor. You can raise a concern by talking to someone or writing to them.

If you raise a concern with your line manager under this procedure you need to make sure that they know this.

If you suspect fraud or corruption, you may approach the Head of Internal Audit & Investigations.

Staff in Social Care may approach the Customer Services Officer, or any of the senior officers listed above.

If you work in a school:

Please refer to the Achieving for Children (AfC) Whistleblowing Policy.

If you work for an agency or are a temporary worker:

You should raise any concerns with your line manager. But if you feel unable to do so or you are concerned about something serious, you may approach a senior manager, your Head of Service, Director or the Chief Executive. You can raise a concern by talking to someone or writing (including by email) to them.
If you work for a company that has a contract with the Council:

You should raise any concerns with the;

- Executive Head of OD & Strategic Business, telephone number: 020 8547 5153; or
- Capability Lead, Commissioning 020 8547 5300.

But if you feel unable to do so or you are concerned about something serious, you may approach the Head of Internal Audit & Investigations, telephone number 020 8547 4624. You can raise a concern by talking to someone or by writing to them.

Useful contact numbers:

- The Council’s Monitoring Officer - 020 8547 5110
- The Chief Executive - 020 8547 5150
- The Executive Head of Organisational Development and Strategic Business - 020 8547 5153
- To raise issues with Councillors please go to the Councillors web page for their details or contact the group Offices – Liberal Democrat Group on 020 8547 5141; Conservative Group on 020 8547 5130
- The Head of Internal Audit & Investigations - 020 8547 4624; or
- The South West London Fraud Partnership on 020 8871 8383
- The Chair of the Audit, Governance and Standards Committee – please see the Audit, Governance and Standards Committee web page for details or contact the Democratic Support Team on 020 8547 5021
- Contact the whistleblowing hotline on 020 8871 8383

Is there any support available for me?

You can get the support of a staff representative, who may accompany you when raising a concern. Remember that by speaking up, it is not up to you to prove your concerns. However, you should be prepared to give the background and the reasons why you feel particularly troubled.

What is my role as a manager?

If a member of staff raised a concern with you, you should:

i) Ensure you make a confidential record of the concerns raised

ii) Then contact the Head of Internal Audit and Investigations or Human Resources who will advise on the next step in the process

It is your duty to pass this information on to the Head of Internal Audit and Investigations or your HR Business Partner to ensure that the appropriate action can be taken.
What happens next?

We will look into your concern to see what should happen. This may involve:

- An internal investigation
- An external auditor
- An independent inquiry
- The police

We will normally write to you within 10 working days of receiving your concerns. We will list them, tell you who is handling the matter, how you can contact them and whether we need your further help. We will also tell you where to get support if you need it.

What happens in an internal investigation?

If there is an internal investigation, a special investigations team will be set up. This team is responsible for gathering all relevant information and meeting with all relevant staff. The team may interview a number of staff.

When they have finished their investigation, they must produce a report on their findings. The report is then considered by senior management. Based on the findings, management will then decide what further action to take. This may include disciplinary action for anyone involved in any wrongdoing.

On the other hand, if the investigation finds that the concerns raised or allegations made by the person who has ‘blown the whistle’ are malicious, frivolous, or for personal gain, disciplinary action will be taken against them.

Depending on any legal restrictions on giving you information, we will let you know the outcome of any investigation.

Will I be involved in an investigation?

You may not want us to let people know that you have raised a concern. If we can investigate and resolve your concern without involving you, the Council will not involve you further. If we are not able to resolve the problem without telling someone else who you are, we will always talk to you first.

The Council encourages you to tell us who you are whenever possible as anonymous concerns are more difficult to investigate and the Council cannot protect your position or give you any feedback if we don’t know who you are.

Will I get into trouble? And will anyone find out that I have ‘blown the whistle’?

The Council does not allow or tolerate the harassment or victimisation (including informal pressure) of anyone who raises a genuine concern or a concern in good faith and will take appropriate action to protect the whistleblower. Victimisation of a whistleblower by any other colleague for raising a concern under this policy will in itself constitute a disciplinary offence.
There may be a situation where you want to tell us of your concern and not let anyone else know that you have. If we are not able to resolve the problem without telling someone else who you are, we will always talk to you first.

**Where can I get independent advice about raising a concern?**

Although we would hope this policy gives you the reassurance to report any concerns you may have through the internal channels we recognise that there may be circumstances where you feel unable to follow this process and want external advice and support. If this is the case, you can talk to:

- Your union
- An independent legal advisor
- The Independent Charity, [Public Concern at Work](#), telephone number: 020 7404 6609 or e-mail whistle@pcaw.org.uk. Their lawyers can give you free confidential advice on how to raise a concern about serious wrongdoing at work.

**Can I take the matter further?**

If you have followed the procedure and it has not worked or you feel that the matter is so serious that you cannot discuss it with any of the above, please contact one of the following:

- The Council’s Monitoring Officer – 020 8547 5110
- The Chief Executive - 020 8547 5150
- The Executive Head of Organisational Development and Strategic Business – 020 8547 5153
- To raise issues with Councillors please go to the [Councillors web page](#) for their details or contact the group Offices – Liberal Democrat Group on 020 8547 5141; Conservative Group on 020 8547 5130
- The Head of Internal Audit & Investigations – 020 8547 4624
- The Chair of the Audit, Governance and Standards Committee please see the Audit, Governance and Standards [Committee web page](#) for details or contact the Democratic Support Team on 0208 547 5021
- The whistleblowing hotline on 020 8871 8383

**Can I refer the matter outside of the Council?**

We encourage all staff to use the procedure. But if you are not satisfied with any action and you feel it is right to take the matter outside the Council, you can contact the following organisations:

- The Health and Safety Executive 0845 300 9923 [http://www.hse.gov.uk/](http://www.hse.gov.uk/)
- The National Audit Office 020 7798 7999 [https://www.nao.org.uk/](https://www.nao.org.uk/)
- The Serious Fraud Office 020 7239 7272 [http://www.sfo.gov.uk/](http://www.sfo.gov.uk/)
- HM Revenue and Customs 020 7239 7388
- The Department for Business Innovation and Skills 020 7215 5000 [http://www.sfo.gov.uk/](http://www.sfo.gov.uk/)
The Public Interest Disclosure Act provides workers with protection from dismissal or other damage as a result of making a disclosure of information in the public interest about wrongdoing at work. Such disclosures are protected if they are done according to the Act's provisions. Disclosures may be made to the employer, prescribed regulatory bodies or on a wider basis to the Police. The Act's protection is strongest where workers raise matters with their employers.

The Council is committed to adhering to this Act and to provisions contained within this policy. If you raise a genuine concern in accordance with this policy, you will not be at risk of losing your job or suffering any form of retribution as a result. Provided you are acting honestly and reasonably believe it to be in the public interest, it does not matter if you are mistaken or if there is an innocent explanation for your concerns. This assurance is not extended to someone who maliciously raises a matter they know is untrue. Disciplinary action will be taken against employees who knowingly make false allegations.

Giving out information about third parties to whom the Council owes a duty of confidence may not be protected under the Public Interest Disclosure Act. This may lead to disciplinary action. If you are in any doubt you should seek advice from your manager, union, lawyer or Public Concern at Work (020 7404 6609).

Who is responsible for this policy?

- The Executive Head of Organisational Development and Strategic Business has overall responsibility for supervising the use of this Procedure and maintaining a record of that.
- The Statutory Monitoring Officer, must in appropriate cases report to the Council on any proposal, decision, or omission by the Council, or any of its Panels or Committees, the Cabinet or officers which contravenes the law or causes mal-administration or injustice.
- Managers must ensure that the Monitoring Officer is alerted in appropriate cases.

Mediation and dispute resolution

If we believe that the issues relate more to conflicts or trust between managers and employees or other staff members, we will give consideration at the earliest opportunity, to
the use of mediators or officers from another service in an attempt to resolve these conflicts, rebuild trust or support staff who have raised concerns.

**Accountability**

Everyone should expect to be held accountable for adopting fair, honest and open behaviours and practices when raising, receiving and handling concerns.

Individuals and service areas will be accountable for:

- poor practice in relation to encouraging the raising of concerns and responding to them
- the victimisation of staff for making public interest disclosures
- raising false concerns in bad faith or for personal benefit
- acting with disrespect or other unreasonable behaviour when raising or responding to concerns

**Whistleblowing - Summary**

**DO**
- Make a difference and report your concerns
- Write down all the details of your concern
  - Note all relevant details such as what was said in telephone or other conversations, the date, time and the names of parties involved.
  - Note any documentary evidence that may exist to support your claim but do not interfere with this evidence.
- Deal with the matter quickly. Any delay could allow the problem to continue and escalate and for evidence to disappear.
- Think about risks and outcomes before you act
- Follow the guidance and contact the appropriate officer

**DON'T**
- Do nothing and let it go unreported
- Be afraid to raise concerns and use this policy’s protection
- Approach and accuse individuals directly
- Try and investigate the matter yourself
- Convey your suspicions to anyone except those of the proper authority as set out in this policy
- Use the whistleblowing procedure to pursue a personal grievance