ARMAGH CITY, BANBRIDGE AND CRAIGAVON BOROUGH COUNCIL

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CONTEXT AND INTRODUCTION

1. INTRODUCTION

Armagh City, Banbridge & Craigavon Borough Council is committed to addressing the issue of conflicts of interest and therefore this Policy seeks to ensure that conflicts of interest are identified and managed in a way that safeguards the integrity of staff and maximises public confidence in the Council's ability to deliver public services properly.

All Council staff are expected to observe the highest standards of conduct and should at all times be guided by the Code of Conduct for Local Government employees. The aim of this policy is to support staff in meeting their obligations set out within the Code of Conduct.

This Policy brings together existing best practice including the NIAO 'Conflicts of Interest: A Good Practice Guide' and The SOLACE Local Public Services Senior Managers: Code of Ethics and provides guidance on potential conflict of interest situations that may be encountered by Council staff:

2. AIM/PURPOSE

The purpose of this Policy is to ensure that real, potential or perceived conflicts of interest are identified and managed in a way that safeguards the integrity of staff and maximises public confidence in the Council's ability to deliver public services properly. Compliance with this Policy will help the Council demonstrate good governance and transparency.

This Policy seeks to provide clear and simple advice and help staff to recognise when they have a real, potential or perceived conflict of interest and how they should act when such situations arise. Helping to protect employees from criticism and misunderstanding and protect the Council from allegations of wrongdoing or bias.

The main aim of the Policy is to promote high standards in public life and especially to follow the key characteristics of propriety as defined in the 'Seven Principles of Public Life' known as the Nolan Principles. These seven principles underpinning public life are: Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty and Leadership.

3. WHAT ARE THE RISKS TO THE ORGANISATION?

Real, potential or perceived conflicts of interest can lead to doubt about the integrity of a public official and can impact on the reputation of the organisation. A conflict of interest that is concealed or managed poorly, even if unintentionally through ignorance of proper procedure, creates at best a risk of allegations or perceptions of misconduct. It could potentially result in more serious consequences against the employee or litigation against the organisation.

Failure to effectively implement this Policy increases the risk of Council not achieving the highest possible standards in terms of openness, probity and accountability. This in turn increases the risk of potential problems being missed or concerns being directed to the media or other external bodies.

4. SCOPE

This Policy applies to all employees. The terms employee/s should be taken to mean any individual/s employed by a council including those working both full time and part time on a permanent, temporary, fixed term or inward secondment basis. The Policy also applies to seasonal and casual staff, agency workers while they are engaged in carrying out duties for the Council.

All employees will be advised of this Policy and it will be made available on the Council's intranet and main website. If further information is required in relation to the Policy employees should contact the Legal, Governance & Monitoring Officer or a Member of the Assessment Panel.

Those to whom this Policy applies must undertake mandatory training (as required) provided by Council on the Local Government Code of Conduct for Council employees and this Policy.

Managers are responsible for ensuring their staff make the returns when required and reminding employees about making any required declarations when they arise. Managers should afford all employee the time to attend relevant training on this Policy and the Code of Conduct for Local Government Employees.

Failure to comply with the Policy may result in action being taken under other relevant policies such as the Fraud Policy and Disciplinary Policy.

POLICY DETAIL

5. WHAT IS A CONFLICT OF INTEREST?

A conflict of interest involves a conflict between the public duty and the private interest of a public official in which the official's private-capacity interest could improperly influence the performance of his/her official duties and responsibilities.

A conflict of interest is not always inherently wrong nor unethical. The main concern is that the conflict is identified and disclosed early, and the risks are managed appropriately.

A conflict of interest can be real, perceived or potential.

A real conflict is an actual conflict which is an existing situation or relationship that could compromise an individual's impartiality, objectivity, or professional judgement in relation to their responsibilities to the Council.

A perceived conflict of interest exists where it could be perceived, or appear, that private-capacity interests could improperly influence the performance of a public official's duties and responsibilities. It may pose no actual risk to the conduct of public business, but it requires proper management in order to minimise the risk of reputational damage both to the organisation and the individual(s) concerned. A perception of a conflict of interest can be just as significant as a real conflict of

interest. The key issue is whether there is a risk that a fair-minded outside observer, acting reasonably, would conclude that there is a real possibility of bias.

A potential conflict is a situation that currently does not constitute a conflict of interest but could evolve into a real conflict situation.

6. PREVENTING CONFLICTS OF INTEREST

Armagh City, Banbridge & Craigavon Borough Council aims to prevent conflicts of interest arising in the first place and therefore in order to do this encourages staff not to:

- Have any involvement in any decision that could lead to financial gain or benefit to the individual, a close relative or someone they have a personal relationship with;
- Have any involvement in any decision that could lead to the appointment of a close relative or someone they have a personal relationship with;
- Have any involvement in, or influence, the award of a contract or grant where the Council Officer is connected to any of the tenderers or applicants;
- Carry out business on behalf of the organisation with their own or a close relative's company or the company of someone they have a personal relationship with;
- Own shares in, or work for, organisations that have dealings with the Council; and
- Accept gifts and hospitality in connection with their official role except in compliance with the Council's Gifts & Hospitality Policy

7. WHOSE INTEREST?

The interest in question need not be that of the employee themselves, it can also include the interests of close relatives and people they have personal relationships with who have the potential to influence the employee's behaviour.

Close relatives and personal relationships are defined in Appendix 5.

For other relatives not referred to in Appendix 5, it is dependent upon the closeness of the relationship and degree to which the decisions or activity of the public entity could directly or significantly affect them. Where an individual has to declare interests of this nature they may wish to seek advice from their line manager to ensure that all potential conflicts are identified.

A 'friend or associate' should be considered as someone with whom the individual has a longstanding and/or close relationship, socialises with regularly or has had dealings with which may create a conflict of interest.

8. HOW TO RECOGNISE A CONFLICT OF INTEREST?

The checklist at Appendix 1 should be used to help in determining if a real, potential or perceived conflict of interest exists.

9. POTENTIAL CONFLICT OF INTEREST SITUATIONS

Staff are expected to conduct themselves with integrity, impartiality, and honesty. Their private interests should not be such as to have the potential for allegations of impropriety or partiality to be sustained thereby bringing the Council into disrepute. In particular, attention is drawn to the following examples of situations where potential conflicts of interest can occur.

9.1 Relationships with Elected Members

Employees in many cases carrying out their duties will give advice to Elected Members. Mutual respect is essential to good local government. However close personal familiarity between employees and individual Elected Members can damage this relationship and prove embarrassing to other employees and Elected Members and should therefore be avoided or disclosed.

Employees should not approach nor attempt to influence Elected Members out of personal motives and should report to their line manager if a Councillor attempts to pressurise them to deal with a matter outside of Council procedure or policy. This does not compromise an employee's rights as a ratepayer to access and/or question the provision of Council services to them through open and transparent Council procedures.

9.2 Contact with Local Community and Service Users

The community and service users have a right to expect a high standard of service from the Council. Employees have a responsibility to the community they serve and should ensure courteous, effective and impartial service delivery to all groups and individuals within the community.

The Council recognises and respects however, the right of all employees to become members of organisations and community groups. It only requires that employees declare personal interests where there is, or could be perceived to be, a conflict of interest between their duties as an employee and their membership of the organisation.

9.3 Relationships with Contractors

Planning applicants and agents, Building Control or Licencing applicants (including agents) and those applying for any form of Financial Assistance.

All relationships with external contractors, (or where you become aware) potential contractors, applicants or agents for planning or other regulatory consent or financial assistance /grants must be made known to your line manager as soon as you become aware that there is conflict of interest. Similarly, any beneficial interest in land you hold which is the subject of a planning application or planning enforcement action to be decided by the Council must be made known to your line manager.

Orders, contracts, grants, planning, or any other regulatory decisions must be decided in compliance with Council procedures. There should be no special favour shown in

the tendering process to any businesses or potential suppliers particularly those run by, for example, friends, persons to whom the employee owes (or is owed) an obligation, partners, or persons where a family relationship is deemed to exist. No part of the local community should be discriminated against.

On occasions, employees will have or will have had a private domestic relationship with contractors, proposed contractors, planning applicants or agents or those applying for Financial Assistance from the Council. Employees should declare that relationship as soon as they become aware that there is a conflict of interest, potential or perceived conflict of interest when carrying out their role for Council (see Appendix 2).

Employees should never receive benefits of any kind from a third party which might reasonably be thought to compromise their personal judgement or integrity.

9.4 Political Activity

Employees must comply with all Policies of Council and must not allow their own personal or political opinions to interfere with their work. While the Council recognises and respects the rights of all employees to hold personal or political opinions; employees should ensure that the expression of those opinions does not constitute a conflict of interest for their role within the Council. Employees who have concerns about where there is a potential conflict of interest should raise the matter with their line manager.

An employee of a council cannot stand, be elected, or co-opted as a councillor for the council in which they are employed. An employee may stand and be elected as a councillor in a council different to that which they are employed by (provided they do not hold one of the prescribed offices or employments outlined in the Local Government (Disqualification) (Prescribed Offices and Employments) Regulations (NI) 2014

9.5 Recruitment and other Employment Matters

Employees involved in appointments should at all times act in accordance with the Local Government Staff Commission's Code of Procedures on Recruitment and Selection (Code of Procedures).

The Code of Procedures at Stage 2 – Composition of Panels states:

'Responsibility is placed on every panel member to disclose to an appropriate officer of the Council where potential conflict of interest may be present, for example partners or persons where a family relationship is deemed to exist.'

And

'Where a potential conflict of interest exists, the issue is not about satisfying the conscience of the individual. Public perceptions and also those of other candidates must be considered and, in such cases, it may be appropriate for the individual to withdraw from the recruitment exercise.'

Similarly, employees should not be involved in decisions in relation to discipline, promotion or pay adjustments for any other employee who is a friend, partner or person where a family relationship is deemed to exist.

9.6 Secondary Employment

A second job for the purpose of this Policy is any job, paid or unpaid, with any employer and or any type of self-employment including inside of Council. The carrying out of public duties does not count as a second job for example jury service.

Any secondary employment you undertake must not, nor have the potential to:

- Create a conflict of interest, for example, working for a company that either supplies or buys from the Council, or is in competition with the Council;
- Overlap with official duties;
- Make use of Council resources (including knowledge, property or equipment);
- Weaken public confidence in the Council;
- Bring the Council into disrepute, for example by undertaking an activity that could be deemed to be incompatible with the role in Council;
- Affect your performance or duties whilst at work.

Any secondary employment undertaken must be:

- Undertaken outside of your working hours with the Council.
- Undertaken away from your place of work.

Permission of Council is needed if undertaking secondary employment outside of your main role and it must be declared on the Declaration of Interests Form immediately. It will be assessed by a panel to ensure that it complies with the bullet points above. The panel may also make recommendations based on any perceived conflict which may arise. The secondary employment will then be notified to the Line Manager and recorded on the Declarations of Interests Register. Details of the process of assessing declared interests is outlined in the section 'Managing a Declaration' on page 14.

Council property or resources including ICT equipment or telephones must not be used when carrying out secondary employment. Secondary employment must not be undertaken during Council working hours. You will be expected to provide evidence of the above if requested. Employees are encouraged to use annual leave and flexi as per the Working Time Directive as downtime rather than use it to undertake secondary employment.

When considering accepting secondary employment, either within or external to the Council, you must consider the implications of the Working Time Directive which stipulates the maximum hours you should work in a week and required rest breaks.

In particular, if you will be regularly working over 48 hours per week in your combined roles, you must inform your Line Manager and HR, as this could be in contravention of the Working Time Regulations.

If any conflict between your roles is identified, you must resolve the conflict in favour of your role and duties with the Council.

It is not the objective of the Council to attempt to preclude staff from undertaking additional employment outside their hours of duty. However, any such employment must not, in the view of the Council, conflict with or be detrimental to the Council's interests, or in any way weaken public confidence in the conduct of the Council's business.

Employees who have any regulatory or enforcement role in Council

If your Council role involves any regulatory or enforcement duties, then you are strictly prohibited from undertaking any related 'secondary employment' (private work) paid or unpaid within the Borough. Examples of this include but are not restricted to the following:

- Advising on, preparing or submitting plans or applications to Building Control or Planning
- Providing advice to or for /other work for an individual or business interest within the Borough which relates to the legislation where Council (or certain other public bodies e.g. H&S Executive, NIEA) has a statutory responsibility.

There may be exceptional circumstances when Council will give permission for you to act outside of this including for example:

- If you are preparing or submitting plans or applications to Building Control or Planning in relation to a property that you own.

Employees must have permission to undertake any related 'secondary employment' (private work) paid or unpaid outside the Borough. The panel will consider any exceptional circumstances, however employees with an enforcement role are strongly discouraged from doing so.

Multiple Roles Held in Council

For the avoidance of doubt if you hold more than one position with the Council this must be declared on the Declaration of Interest Form.

As stated above, when considering accepting an additional role(s) within Council, you must consider the implications of the Working Time Directive which stipulates the maximum hours you should work in a week and required rest breaks. In particular, if you will be regularly working over 48 hours per week in your combined roles, you must inform your Line Manager and HR, as this could be in contravention of the Working Time Regulations.

9.7 Being a Board Member on Committees/Outside Bodies

All positions (paid and unpaid) undertaken in a personal capacity on any outside boards or committees must be declared on a Declaration of Interest Form.

All of the guidance and processes detailed in section 9.6 on secondary employment applies and must be followed.

9.8 Personal Interests

Employees should review regularly their personal circumstances and take steps to deal with any potential conflict of interest. Employees must declare (as per Appendix 2) any financial or non-financial interests that they consider could bring about conflict with the Council's interests, for instance:

- Membership of any organisation receiving grant aid from the Council;
- Membership of an organisation or pressure group which may seek to influence the Council's policies;
- Membership of an organisation which may seek to influence the performance of an employee in carrying out their duties; and
- Having a beneficial interest in land which is within the Council's boundary and is subject to any planning application or other statutory application to be determined by the Council;
- Employees who have an interest, financial or non-financial, should not involve themselves in any decision or allocation of Council services/funding.

9.9 Use of Financial and other Council Resources

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

An employee who, in their role in the Council, is responsible for a budget and becomes insolvent or bankrupt, must inform their line manager promptly.

9.10 Tendering and Overseeing Contracts

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

Employees must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors, and sub-contractors. Employees who are privy to confidential information relating to the tendering process should not disclose that information to any unauthorised party or organisation.

Employees should ensure that in awarding contracts, no special favour is shown to any person or company. It should be noted that all Council staff, sitting on procurement evaluation panels, must sign a declaration to indicate that they have acted in accordance with the Council Code of Conduct and acted fairly and equitably and that they are aware of no conflicts of interest that could influence their ability to be or be seen to be impartial in the procurement process.

9.11 Social Media

Employees should also be mindful of their behaviour when using any social media platform. Their behaviour must not have the potential for allegations of impropriety or partiality which might bring the Council into disrepute.

Employees should ensure they act in accordance with any Council social media policies in place. Employees should also be aware that social media activity can be used for investigatory purposes and could result in disciplinary action.

ROLES AND RESPONSIBILITIES

10. DISCLOSING A CONFLICT OF INTEREST

Council officers must be open and transparent about any overlap between their official role and private interests and must fully disclose any such potential conflict of interest to the organisation.

An Assessment Panel will then determine whether a real, potential, or perceived conflict of interest exists, assess its seriousness and decide on any action needed to manage it.

11. WHEN TO DISCLOSE

11.1 Start of Employment

A declaration of interest form must be completed upon commencement of employment for all Council employees. This allows the conflict to be explored to determine how it might affect the individual's ability to contribute effectively and impartially to the role and how the conflict may be handled. If the Assessment Panel regards the conflict as so serious that impartiality and integrity could not be assured, the applicant will be informed accordingly (please see paragraph 15.0 below).

11.2 Declaration of Interests

Every two years Council employees must complete the declaration of interest form – see Appendix 2. This will allow the organisation to understand potential conflicts and plan how to manage them. Regularly completing this declaration will remind employees that they must guard against conflicts that may arise as a consequence of their employment. The declaration of interest form will be issued to staff on the 1st April *(subject to change)* every two years by or on behalf of the Legal, Governance & Monitoring Officer.

If an employee declares an interest this must then be passed to their Tier 4 Manager to sign and make a recommendation. If the individual making the declaration is Tier 4 or above this should be done by their Line Manager. (See 14. below for the role of the Tier 4 Manager/Line Manager). Heads of Service should submit their form to their Director and Directors should submit their form to the Chief Executive.

Those employees with nothing to declare should still complete a nil return.

Failure to make a return within the prescribed deadlines will be recorded as a nil return. If however, an employee is later found to have a conflict which they have not declared they may be subject to action set out under paragraph 16.0 below.

11.3 In-year Changes or Additions

In addition, all staff must ensure that any new real, potential or perceived conflicts of interest are declared immediately and any changes to their declarations are recorded as and when they arise.

11.4 Tender Assessments/Recruitment Processes/Meetings/Planning Applications and Enforcement Cases

This should be done by the completion of a Declaration of Interest Form (Appendix 2). This should be passed to your Tier 4 Manager (or direct Line Manager if you are Tier 4 or above) to make a recommendation and then returned to the Legal, Governance & Monitoring Officer.

In addition to the biennial declaration of interests and notification of changes as they arise, conflicts of interest should also be declared where they arise in specific settings. For example, tender evaluations, recruitment processes, committee meetings etc.

For tender assessments and recruitment processes each individual involved in the process will be asked to sign a declaration of interest form during each and every process and sometimes at each stage of the process.

During meetings any potential conflict which arises should be declared and noted and any deemed appropriate action taken (such as not taking part in discussion or leaving the meeting).

For Planning Applications and Enforcement Cases, at the start of the planning process, Planning Officers must also complete a conflict of interest checklist. This checklist requires the officer to confirm whether the case they have been allocated presents any potential conflict of interest. If a conflict is identified, the case will be reassigned to another officer to ensure impartiality.

12. FAILURE TO DECLARE

Should an employee fail to properly declare an interest which is capable of being registered under this Policy they may be subject to action under paragraph 16.0 of this Policy.

13. MANAGING DECLARED INTERESTS

When a real, potential or perceived conflict of interest has been identified and declared, we must carefully consider what action, if any, needs to be taken to adequately avoid or mitigate the associated risks. The seriousness of the conflict, as well as the range of options available to manage or monitor it, must be assessed.

14. RECOMMENDATIONS OF TIER 4 MANAGER/LINE MANAGERS

Before being passed to the Assessment Panel your Tier 4 Manager (or Line Manager for individuals Tier 4 or above) is asked to comment on how this interest may impact on your role and their recommendation on what action may be needed. The Assessment Panel will then take this into consideration. This is important as your Tier 4 Manager/Line Manager will have a detailed understanding of your role as well as any important technical, resource or other considerations which the panel should be made aware of.

15. THE ASSESSMENT PANEL

When an individual reports an interest, an Assessment Panel (with input from HR) must consider how it should be dealt with.

15.1 How often will they meet?

The Assessment Panel will meet on a biennial basis to review the Register of Interests and relevant Declaration of Interest forms.

The Panel will also meet monthly or as required to review any changes or new additions made to the Register (i.e. to deal with declarations as a result of recent recruitment.

15.2 Make-up of Panel

The Assessment Panel will be made up of the Legal, Governance & Monitoring Officer and two other Heads of Department on a rotational basis. Consultation with HR may also be required.

15.3 Role of Panel

It is the role of the panel to review the declaration and decide what action, if any, needs to be taken. Questions to be answered include:

- Could the Council employee's family or friends (as defined in Appendix 1) gain from his/her connection to the Council?
- How is the declared interest likely to be perceived externally?
- Could the declared personal interest damage the reputation, impartiality or integrity of the Council?
- Is there a possibility that the declared interest might influence decision making by the employee or others?

There are different options for managing conflicts which will be considered by the Panel including the following:

- Register
- Restrict
- Recruit
- Remove
- Relinquish
- Resign

(Appendix 4 provides guidance on the most and least suitable situations in which to use the below management strategies.)

15.4 Outcome from Panel

The outcome of the Assessment Panels consideration will be communicated to the Tier4/Line Manager. An appropriate response will be put in writing to the employee by the Tier 4/Line Manager based on the outcome of the Assessment Panel's considerations. The Tier 4/Line Manager will retain a copy of the response on the employee's personnel file.

There is no right of appeal.

16. BREACHING THE CONFLICTS OF INTEREST POLICY

All employees are required to comply with this Policy and failure to do so may result in a range of consequences for both the individual concerned and the organisation including the following:

Individual:	Organisation:
Disciplinary action Being subject to an internal or external inquiry Loss of employment Criminal prosecution	Reputational damage Loss of public trust Being subject to an external inquiry Legal action

RECORDING / PUBLISHING DECLARED INTERESTS

17. REGISTER OF INTEREST

17.1 Declaration of Interest Forms will be compiled into a 'Register of Interests' (refer to Appendix 3) and retained by the Legal, Governance & Monitoring Officer. The Register enhances transparency within the organisation and is a useful tool to help individuals and managers identify conflicts at an early stage and take the necessary steps to manage them.

The Register will be kept up to date through the biennial declaration of interests process but changes/additions declared by employees throughout the year will be updated on the Register on a regular basis.

Where a member of staff does not have access to a computer and has a change to declare within the two-year period, they may request access to a computer or tablet via their Line Manager. Temporary Intranet access will be provided to enable completion of a new Declaration of Interest Form.

The Register of Interests should record the following information for each declared interest:

- Name and Job Title of the employee
- The Details of the Conflict of Interest Declared
- Potential Impact and Recommendation of Tier 4/Line Manager

- The Panels Assessment including any recommendations from the panel on how the risk be reduced/eliminated and
- Any action taken by the organisation.

17.2 The Register of Interests will be inspected by Internal Audit in line with their audit plans.

17.3 Officers should be aware that the forms and the Register may be released to third parties if we are legally obliged to do so.

17.4 For management purposes Heads of Department will be able to view the registered interests for their Department.

17.5 Other appropriate Council officers will be able to view all/part of the register as needed for legitimate organisational management needs (for example as part of a disciplinary investigation or for HR establishing HR related panels). Access will be controlled by the Legal, Governance & Monitoring Officer and they will be responsible to ensuring that the rationale for viewing the information is valid and that they have read only access to the appropriate section/s of the register.

17.6 A log will be kept of who, why and what was viewed when the register is accessed.

18. RELATED POLICIES

The Code of Conduct for Local Government Employees 2021
Raising Concerns Policy
Fraud Policy
Disciplinary Policy
Gifts & Hospitality Policy
ICT Acceptable Use Policy
Social Media Usage Policy

Appendix 1 - RECOGNISING A CONFLICT OF INTEREST

Do you think you have a real, potential or perceived conflict of interest?

The following questions may help when assessing an issue being considered and the situation in which you are involved.

- Would I or anyone associated with me benefit from, or be detrimentally affected by, my proposed decision or action?
- Could there be benefits for me in the future that could cast doubt on my objectivity?
- Do I have a current or previous personal, professional or financial relationship or association of any significance with an interested party?
- Would my reputation or that of a relative, friend or associate stand to be enhanced or damaged because of the proposed decision or action?
- Do I or a relative, friend or associate stand to gain or lose financially in some covert or unexpected way?
- Do I hold any personal or professional views or biases that may lead others to reasonably conclude that I am not an appropriate person to deal with the matter?
- Have I contributed in a private capacity in any way to the matter my organisation is dealing with?
- Have I made any promises or commitments in relation to the matter?
- Have I received a substantial gift, benefit or hospitality from someone who stands to gain or lose from my proposed decision or action?
- Am I a member of an association, club or professional organisation or do I have particular ties and affiliations with organisations or individuals who stand to gain or lose by my proposed decision or action?
- Could this situation have an influence on any further employment opportunities outside my current official duties?
- Could there be any other benefits or factors that could cast doubt on my objectivity?

If the answer to any of these is yes or if you are unsure you should complete a declaration of interest form.

Appendix 2 - DECLARATION OF INTEREST FORM

Period: [ ]

PRIVACY STATEMENT

This information is collected and processed solely for detecting potential conflicts between the private interests held by the employees of Council as outlined in the Conflict of Interest Policy and in accordance with the Local Government Code of Conduct.

All declarations and superseded declarations will be stored and archived for auditing purposes for a maximum period of 7 years after which they will be destroyed in line with Councils Retention & Disposal Schedule.

Council will not routinely disclose your personal data to another person or organisation; however, we may have to disclose if required by law.

Summary

All staff are required to disclose any potential conflicts of interest they may have. Guidance and examples of possible conflict situations can be found in the Conflict of Interest Policy on the Intranet.

Please note: If your circumstances change within the two-year period, you can submit a new Declaration of Interest Form via the Intranet. This will follow the same process, including Tier 4/Line Manager recommendations and Assessment Panel determination. The updated form will be saved in addition to your previous Declaration on the Register of Interest.

If you have no conflicts to declare, your response will be sent directly to the Monitoring Office for record keeping. If you do declare a conflict, your response will be forwarded to your Tier 4 Manager/Line Manager for review and appropriate action.

Surname	
Forename	
Job Title	
Department	Drop Down List

☑ I do not have a conflict of interest to report for [period]

☑ I have a conflict of interest to declare for [period]

Please provide details below of the Conflict of Interest [period]:

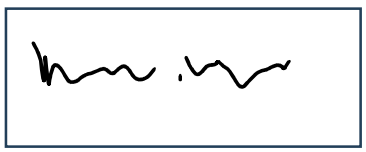
As required by the Conflict of Interest Policy for Armagh City, Banbridge and Craigavon Borough Council Employees, I am declaring a new real, potential or perceived Conflict of Interest relating to me or a family member[1].

[1] Appendix 5 of the Conflict of Interest Policy defines a family relationship (i.e. husband/wife, partner (civil or otherwise), Sibling, Son-in-law/Daughter-in-law, Mother-in-law/Father-in-law, Sister-in-law/Brother-in-law, Uncle/Aunt, Nephew/Niece, Grandson/Granddaughter, Grandparent).

I confirm that the above declaration is complete and correct to the best of my knowledge and belief. The interests I have declared include both direct and indirect interests (i.e. those of a partner, spouse or close relative) and any specific financial interests are shown.

Name of Tier 4 Manager/Line Manager:	Drop Down List of Names

Signature:

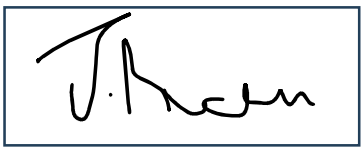


Date Returned: xx/xx/xx

SUBMIT

Job Title:	
Potential Impact Identified by *Tier 4 Manager/Line Manager:	
Recommendation of *Tier 4 Manger/Line Manager:	Drop Down List of options
Rationale for recommendation of *Tier 4/Line Manager:	

Signed (*Tier 4 Manager/Line Manager):



Date Returned: xx/xx/xx

SUBMIT

Appendix 3 – REGISTER OF CONFLICTS OF INTEREST

Date of Declaration	Forename	Surname	Job Title	Section/Department/ Directorate	Details if real, potential or perceived Conflict of Interest	Name of Tier 4 Manager	Potential Impact Identified by Tier 4 Manager	Recommendation of Tier 4 Manager	Recommendation of Panel and any action taken

Appendix 4 - MANAGING CONFLICTS OF INTEREST

Management Strategy	When Most Suitable	When Least Suitable
Register Where details of the existence of a possible or potential conflict of interest are formally registered.	• For very low risk and potential conflict of interest. • Where the act of transparency through recording the conflict of interest is sufficient.	• The conflict of interest is more significant or higher risk. • The potential or perceived effects of a conflict of interest on the proper performance of the employee's duties require more proactive management.
Restrict Where restrictions are placed on the employee's involvement in the matter.	• The employee can be effectively separated from parts of the activity or process. • The conflict of interest is not likely to arise frequently.	• The conflict is likely to arise more frequently. • The employee is constantly unable to perform a number of duties because of conflict of interest issues.
Recruit Where a disinterested third party is used to oversee part or all of the process that deals with the matter.	• It is not feasible or desirable for the employee to remove themselves from the decision making process. • In small or isolated communities.	• The conflict is serious and ongoing, rendering ad hoc recruitment of others unworkable. • Recruitment of a third party is not appropriate for the proper handling of the matter. • A suitable third party is unable to be sourced.
Remove Where an employee chooses to be removed from the matter.	• For ongoing serious conflicts of interest where ad hoc restriction or recruitment of others is not appropriate.	• The conflict of interest and its perceived or potential effects are of low risk or low significance. • The employee is prepared to relinquish the relevant private interest rather than radically change their work responsibilities or environment.
Relinquish Where the employee relinquishes the private interest that is creating the conflict.	• The employee's commitment to public duty outweighs their attachment to their private interest.	• The employee is unable or unwilling, for various reasons, to relinquish the relevant private interest.
Resign	• No other options are workable.	• The conflict of interest and its potential or perceived effects are of

Where the employee resigns from their position within the organisation	• The employee cannot or will not relinquish their conflicting private interest and changes to their work responsibilities are not feasible. • The employee prefers this course as a matter of personal principle.	low risk or low significance. • Other options exist that are workable for the employee and the organisation.

Appendix 5 - DEFINITION OF RELATIONSHIPS

Close Relative

For the purposes of the Policy, a 'close relative' shall be deemed to exist between an employee and another person if they are:

- Married
- Civil Partners
- Cohabiting as if they were married
- Cohabiting as if they were civil partners (partners)

or the other person is a biological, adopted, foster or step relative to an officer or of that employee's married partner, civil partner, or partner under one of the following categories:

- Child
- Parent
- Sibling
- Son in law or Daughter in law
- Mother in law or Father in law
- Sister in law or Brother in law
- Uncle or Aunt
- Nephew or Niece
- Grandson or Granddaughter
- Grandparent

For the avoidance of doubt, a personal relationship for the purposes of the Code of Conduct includes:

- a family relationship other than that specified above
- a business/commercial/financial relationship
- a sexual/romantic relationship
- a friendship/associate

A 'friend' or 'associate' should be considered as someone with whom the employee has a longstanding and/or close relationship with, socialises with

regularly or has had dealings which may reasonably be expected to create a conflict of interest.

Appendix 6 - EQUALITY SCREENING FORM

Policy Scoping

Policy Title: **Conflict of Interest Policy**

Brief Description of Policy (please attach copy if available). Please state if it is a new, existing or amended policy.

This is a new Policy and is to address the issue of conflicts of interest

Intended aims/outcomes. What is the policy trying to achieve?

The main aim of the policy is to promote high standards in public life and especially to follow the key characteristics of propriety as defined in the 'Seven Principles of Public Life' known as the Nolan Principles. These seven principles underpinning public life are: Selflessness; Integrity; Objectivity; Accountability; Honesty and Leadership.

Policy Framework

Has the policy been developed in response to statutory requirements, legal advice or on the basis of any other professional advice? Does this affect the discretion available to The Council to amend the policy?

The Policy is aligned to the Code of Conduct for Local Government in NI which was revised in 2020/21.

Are there any Section 75 categories which might be expected to benefit from the policy? If so, please outline.

No

Who initiated or wrote the policy (if The Council decision, please state). Who is responsible for implementing the policy?

Who initiated or wrote the policy?	Head of HR&OD, Head of Community Planning, Policy & Research & Head of Strategy & Performance
Who is responsible for implementation?	All Employees and Managers

Are there any factors which might contribute to or detract from the implementation of the policy (e.g. financial, legislative, other)?

None identified.

Main stakeholders in relation to the policy

Please list main stakeholders affected by the policy (e.g. staff, customers, other statutory bodies, community or voluntary sector, private sector)

Employees, customers, contractors, the public, businesses

Are there any other policies with a bearing on this policy? If so, please identify them and how they impact on this policy.

Code of Conduct for Local Government Employees Gifts & Hospitality Policy Fraud Policy Raising Concerns Policy Disciplinary Policy ICT Acceptable Use Policy

Available Evidence

The Council should ensure that its screening decisions are informed by relevant data. What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories. For up to date S75 Borough Statistics

Section 75 category	Evidence
Religious belief	No
Political opinion	No
Racial group	No
Age	No
Marital status	No
Sexual orientation	No
Men and women generally	No
Disability	No
Dependants	No

Needs, experiences and priorities

Taking into account the information gathered above, what are the different needs, experiences and priorities of each of the following categories in relation to this particular policy/decision?

Section 75 category	Needs, experiences and priorities
Religious belief	N/A
Political opinion	N/A
Racial group	N/A
Age	N/A
Marital status	N/A
Sexual orientation	N/A
Men and women generally	N/A

Disability	N/A
Dependants	N/A

Screening Questions

1. What is the likely impact on equality of opportunity for those affected by this policy for each of the Section 75 categories?

Category	Policy Impact	Level of impact (Major/minor/none)
Religious belief		None
Political opinion		None
Racial group		None
Age		None
Marital status		None
Sexual orientation		None
Men and women generally		None
Disability		None
Dependants		None

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 categories?

Category	If yes, provide details	If no, provide reasons
Religious belief		The policy has no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories
Political opinion		As Above
Racial group		As Above
Age		As Above
Marital status		As Above
Sexual orientation		As Above
Men and women generally		As Above
Disability		The policy will be made available in accessible formats for disabled employees of Council
Dependants		As Above

3. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion, or racial group?

Category	Details of Policy Impact	Level of impact (major/minor/none)
Religious belief		None
Political opinion		None
Racial group		None

4. **Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?**

Category	If yes, provide details	If no, provide reasons
Religious belief		The policy has been written with in compliance with recommendations made by the Northern Ireland Audit Office and local government legislation. It does not have a specific impact on any equality category.
Political opinion		As Above
Racial group		As Above

Multiple Identity

Generally speaking, people fall into more than one Section 75 category (for example: disabled minority ethnic people; disabled women; young Protestant men; young lesbian, gay and bisexual people). Provide details of data on the impact of the policy on people with multiple identities. Specify relevant s75 categories concerned.

N/A

Disability Discrimination (NI) Order 2006

Is there an opportunity for the policy to promote positive attitudes towards disabled people?

No

Is there an opportunity for the policy to encourage participation by disabled people in public life?

No

Screening Decision

A: NO IMPACT IDENTIFIED ON ANY CATEGORY – EQIA UNNECESSARY

Please identify reasons for this below

This policy is aligned to the Code of Conduct guidelines for Local Government (revised in 2020/2021) and this response to ensure that conflicts of interest are identified and managed in a way that safeguards the integrity of staff and maximises public confidence in the Council's ability to deliver public services properly.

The policy has no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories

B: MINOR IMPACT IDENTIFIED – EQIA NOT CONSIDERED NECESSARY AS IMPACT CAN BE ELIMINATED OR MITIGATED

Where the impact is likely to be minor, you should consider if the policy can be mitigated, or an alternative policy introduced. If so, an EQIA may not be considered necessary. You must indicate the reasons for this decision below, together with details of measures to mitigate the adverse impact or the alternative policy proposed.

C: MAJOR IMPACT IDENTIFIED – EQIA REQUIRED

If the decision is to conduct an equality impact assessment, please provide details of the reasons.

Timetabling and Prioritising

If the policy has been screened in for equality impact assessment, please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3 with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

Policy Criterion	**Rating (1-3)**
Effect on equality of opportunity and good relations	
Social need	
Effect on people's daily lives	

The total rating score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the Council in timetabling its EQIAs.

Is the policy affected by timetables established by other relevant public authorities? If yes, please give details.

Monitoring

Effective monitoring will help the authority identify any future adverse impact arising from the policy. It is recommended that where a policy has been amended or an alternative policy introduced to mitigate adverse impact, monitoring be undertaken on a broader basis to identify any impact (positive or adverse).

Further information on monitoring is available in the Equality Commission's guidance on monitoring (www.equalityni.org).

Identify how the impact of the policy is to be monitored

This policy will be reviewed in 3yrs as noted in the cover page and in line with our policy review schedule.

Approval and Authorisation

A copy of the screening form for each policy screened should be signed off by the senior manager responsible for that policy. The screening recommendation should be reported to the relevant Committee/The Council when the policy is submitted for approval.

Screened by	**Position/Job title**	**Date**
Niamh Shannon	Head of Department: HR&OD	13/08/2024
Elaine Gillespie	Head of Department: Community Planning, Policy & Research	
Mariana McNulty	Head of Department: Strategy & Performance	
Kate McCusker	Legal, Governance & Legal, Governance & Monitoring Officer	
Approved by	**Position/Job Title**	**Date**
Charlene Stoops	Deputy Chief Executive	02/06/2025

Please forward a copy of the completed policy and form to:

Equality@armaghbanbridgecraigavon.gov.uk

who will ensure these are made available on the Council's website.

The above officer is also responsible for issuing reports on a quarterly basis on those policies "screened out for EQIA". This allows stakeholders who disagree with this recommendation to submit their views. In the event of any stakeholder disagreeing with the decision to screen out any policy, the screening exercise will be reviewed.

Appendix 7 - Rural Needs Impact Assessment (RNIA)

SECTION 1
Defining the activity subject to Section 1(1) of the Rural Needs Act (NI) 2016

1A. Name of Public Authority: Armagh City, Banbridge & Craigavon Borough The Council

1B. Please provide a short title which describes the activity being undertaken by the Public Authority that is subject to Section 1(1) of the Rural Needs Act (NI) 2016.

Conflict of Interest Policy

1C Please indicate which category the activity specified in Section 1B above relates to:

Developing a **Policy**

Adopting a

Implementing a

Revising a

Designing a Public Service

Delivering a Public Service

1D. Please provide the official title (if any) of the Policy, Strategy, Plan or Public Service document or initiative relating to the category indicated in Section 1C above

Conflict of Interest Policy

1E. Please provide details of the aims and/or objectives of the Policy, Strategy, Plan or Public Service

The main aim of the policy is to promote high standards in public life and especially to follow the key characteristics of propriety as defined in the 'Seven Principles of Public Life' known as the Nolan Principles. These seven principles underpinning public life are: Selflessness; Integrity; Objectivity; Accountability; Honesty and Leadership.

1F. What definition of 'rural' is the Public Authority using in respect of the Policy, Strategy, Plan or Public Service?

Population Settlements of less than 5,000 (Default definition	☐
Other Definition (Provide details and the rationale below)	☐
A definition of 'rural' is not applicable	☒

Details of alternative definition of 'rural' used

Rationale for using alternative definition of 'rural'.

Reasons why a definition of 'rural' is not applicable.

This policy is aligned to the Code of Conduct guidelines for Local Government (revised in 2020/2021) and this response seeks to ensure that conflicts of interest are identified and managed in a way that safeguards the integrity of staff and maximises public confidence in the Council's ability to deliver public services properly. The policy has no bearing in terms of its likely impact on people living or working in rural areas.

SECTION 2
Understanding the impact of the Policy, Strategy, Plan or Public Service

2A. Is the Policy, Strategy, Plan or Public Service likely to impact on people in rural areas?

Yes ☐ **No** ☒ **If response is No go to 2E**

2B. Please explain how the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas.

2C. If the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas *differently* from people in urban areas, please explain how it is likely to impact on people in rural areas differently.

2D. Please indicate which of the following rural policy areas the Policy, Strategy, Plan or Public Service is likely to primarily impact on.

Rural Businesses	☐
Rural Tourism	☐
Rural Housing	☐
Jobs or Employment in Rural Areas	☐
Education or Training in Rural Areas	☐
Broadband or Mobile Communications in Rural Areas	☐
Transport Services or Infrastructure in Rural Areas	☐
Health or Social Care Services in Rural Areas	☐
Poverty in Rural Areas	☐
Deprivation in Rural Areas	☐
Rural Crime or Community Safety	☐
Rural Development	☐
Agri-Environment	☐

Other (Please state)

If the response to Section 2A was YES GO TO Section 3A.

2E. Please explain why the Policy, Strategy, Plan or Public Service is NOT likely to impact on people in rural areas.

This policy is aligned to the Code of Conduct guidelines for Local Government (revised in 2020/2021) and this response seeks to ensure that conflicts of interest are identified and managed in a way that safeguards the integrity of staff and maximises public confidence in the Council's ability to deliver public services properly. The policy has no bearing in terms of its likely impact on people living or working in rural areas.

SECTION 3
Identifying the Social and Economic Needs of Persons in Rural Areas

3A. Has the Public Authority taken steps to identify the social and economic needs of people in rural areas that are relevant to the Policy, Strategy, Plan or Public Service?

Yes ☐ **No** ☒ **If response is No go to 3E**

3B. Please indicate which of the following methods or information sources were used by the Public Authority to identify the social and economic needs of people in rural areas.

Consultation with Rural Stakeholders	☐
Consultation with Other organisations	☐
Published Statistics	☐
Research Papers	☐
Surveys or Questionnaires	☐
Other Publications	☐
Other Methods or Information Sources (include details in Question 3C below)	☐

3C. Please provide details of the methods and information sources used to identify the social and economic needs of people in rural areas including relevant dates, names of organisations, titles of publications, website references, details of surveys or consultations undertaken etc.

3D. Please provide details of the social and economic needs of people in rural areas which have been identified by the Public Authority?

If the response to Section 3A was YES GO TO Section 4A.

3E. Please explain why no steps were taken by the Public Authority to identify the social and economic needs of people in rural areas?

This policy is aligned to the Code of Conduct guidelines for Local Government (revised in 2020/2021) and this response seeks to ensure that conflicts of interest are identified and managed in a way that safeguards the integrity of staff and maximises public confidence in the Council's ability to deliver public services properly.

The policy has no bearing in terms of its likely impact on people living or working in rural areas.

SECTION 4
Considering the Social and Economic Needs of Persons in Rural Areas

4A. Please provide details of the issues considered in relation to the social and economic needs of people in rural areas.

N/A

SECTION 5
Influencing the Policy, Strategy, Plan or Public Service

5A. Has the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, been influenced by the rural needs identified?

Yes ☐ **No** ☒ **If response is No go to 5C**

5B. Please explain how the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, has been influenced by the rural needs identified.

If the response to Section 5A was YES go to 6A.

5C. Please explain why the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or the delivery of the Public Service, has NOT been influenced by the rural needs identified.

This policy is aligned to the Code of Conduct guidelines for Local Government (revised in 2020/2021) and this response seeks to ensure that conflicts of interest are identified and managed in a way that safeguards the integrity of staff and maximises public confidence in the Council's ability to deliver public services properly.

The policy has no bearing in terms of its likely impact on people living or working in rural areas.

SECTION 6

Documenting and Recording

6A. Please tick below to confirm that the RNIA Template will be retained by the Public Authority and relevant information on the Section 1 activity compiled in accordance with paragraph 6.7 of the guidance.

I confirm that the RNIA Template will be retained, and relevant information compiled. ☒

Rural Needs Impact Assessment undertaken by: (Kate McCusker)

Position: (Legal, Compliance & Monitoring Officer)

Department / Directorate: (Monitoring Office)

Signature: *Kate McCusker*

Date: 01/12/2025

Rural Needs Impact Assessment approved by: (Charlene Stoops)

Position: (Deputy Chief Executive)

Department / Directorate: (Deputy Chief Executives Dept)

Signature: 

Date: 01/12/2025