



## **Business Interests Policy**

The Office of the Police and Crime Commissioner (OPCC) is committed to the principles of equality and diversity. No member of the public, member of staff, volunteer or job applicant shall be discriminated against on the grounds of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; or sexual orientation.

### **Introduction**

1. Staff who have a business interest or wish to obtain approval for undertaking a business interest should comply with the procedure outlined within this policy.
2. This policy aims to ensure that all staff are treated equally, fairly and from an organisational perspective, security, ethics and responsibilities are taken into account.
3. The application of this policy will ensure that a business interest does not conflict with an individual's role within the OPCC.

### **Policy**

4. This policy applies to all members of staff.
5. Staff are required to declare and seek approval to undertake a business interest if, outside their OPCC employment they carry on any business or employment for hire or gain, and any of the following conditions apply:
  - they hold a post that requires management vetting
  - the business is one that could conflict with the functions of the OPCC
  - the business or its association is or could be in contract with the OPCC
  - they, their partner, spouse, or any family member holds, or possesses a pecuniary interest in a liquor license, public house, off license or betting/gaming establishment within the area, regardless of the post within which they are employed
  - a business is operated by a family member at premises where the member of staff resides
  - a business is operated by a staff member's spouse/partner (where they are not separated) at premises within the OPCC area

- irrespective of the above, any member of staff wishes to declare a business interest

**Note:** For the purpose of this policy, family member is defined as spouse, civil partner, parent, son, daughter, brother, sister, long-term partner, and children from such relationship. Within this definition, it is accepted that in some cases, staff may not be taking any active part in the business.

6. Where the business interest already exists applicants for posts within the OPCC will be required to declare and seek approval as part of the recruitment and selection process. This must be completed prior to commencing employment.
7. Where an internal applicant is applying for a post which requires management vetting and has an existing business interest, which may or may not have been previously disclosed, they will be required to declare and seek approval for the business interest as part of the selection process. Declaration and approval must be completed before commencing the new position.
8. Voluntary declarations are encouraged from any staff member who has a business interest, regardless of the role they undertake within the OPCC.

### **Principles**

9. The Chief Executive has responsibility for the approval of business Interests.
10. In making that decision the Chief Executive will consider the details of the application along with the following factors:-
  - whether the activity is one regulated by the police, or where police are involved in licensing
  - whether a conflict of interest could arise, including any interest that has contract with the OPCC
  - whether the business interest has the potential to cause embarrassment or bring disrepute to the OPCC
  - any risk to the personal health and well being of the member of staff. A business interest could involve a risk of injury or increased stress and tiredness that may impact upon the member of staff's ability to perform their duties safely and/or to a satisfactory standard
  - recognition of the Working Time Regulations, with specific regard to the total hours worked (in relation to their employment with the OPCC and their business interest) and the resultant risks to health and safety

## **Process**

11. The stages in the process are as follows: -
- the staff member may meet with their line manager to discuss their business interest, prior to making a formal application
  - following this meeting the staff member will submit the application form to their line manager who will progress the application with the Chief Executive
  - a final decision will be reached within 28 days from the application being received. Line managers will be responsible for keeping applicants informed of progress
  - where approval is granted the Chief Executive may impose certain conditions. A copy of the approval letter shall be retained on the personal file of the member of staff
  - where approval is not granted a letter to the member of staff will record the reasons. A meeting must be held with the individual concerned, fully explaining the rationale for the decision. The application form will be placed on the staff member's personal file
  - members of staff are required to declare any changes concerning the nature of the business interest and the Chief Executive will review these in light of the circumstances. Staff should be aware that depending on the degree of change, continued approval to a previously agreed business interest may not be granted

## **Approval of Business Interests – Conditions**

12. Where business interests are approved staff members must comply with the following conditions:-
- duties/commitments in connection with the business must be carried out in the staff member's own time and away from the OPCC premises
  - they must not advertise their role as a member of the OPCC staff to promote the business or any product of the business, nor should they allow other organisations to do so
  - the individual is responsible for compliance with Working Time Regulations and health and safety requirements
  - where one or more member of staff holds a joint business interest, each individual concerned must apply for approval in accordance with this policy
  - specific consideration will be given where individuals seek approval for a business interest and there is concern over their attendance levels

### **Withdrawal of Approval of Business Interests**

13. Where approval for a business interest is withdrawn the circumstances must be recorded in writing. A meeting must be held with the individual concerned, fully explaining the rationale for the decision.

### **Sanctions**

14. Breaches of this policy will be dealt with under the Disciplinary Policy.