



# Business Interests and Additional Employment

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## **SECTION 1 BACKGROUND**

This document has been produced based on ACPO (Association of Chief Police Officers) guidance, which outlines the recommended approach to the management of business interests and additional occupation for those working in the Police Service of England and Wales. The guidance is intended to provide consistency of application and enable appropriate decisions to be taken to ensure the reputation of the Police Service and the health, safety and wellbeing of members of staff.

This procedure applies to all employees of the Office of the Police and Crime Commissioner.

## **SECTION 2 AIMS / OBJECTIVES**

The aim of this document is to provide advice and guidance to managers and staff on what business interests / additional occupation can be undertaken whilst still being a member of the Office of the Nottinghamshire Police and Crime Commissioner. Due to the nature of the work undertaken by the organisation, there will be some restrictions on the type of work that will be allowed, as there might be some conflict of interest.

The Office of the Nottinghamshire Police and Crime Commissioner recognises that although certain restrictions have to be imposed on the private lives of all members of staff, these restrictions must be applied sensibly and flexibly in all cases. It is the intention of the Office of the Nottinghamshire Police and Crime Commissioner to encourage an open culture where people are not apprehensive about disclosing their business interests or additional occupations and where members of staff are protected by having reasonable business interests approved.

Members of staff will not however, be permitted to develop second full time or competing careers.

## **SECTION 3 DETAILS**

The Office of the Police and Crime Commissioner's Staff Code of Conduct can be found at Appendix Two.

Reference to Police Staff includes members of the Volunteer Support Team, Agency staff and Casual workers. Any existing business interest should be included on any application form.

Where a member of staff wishes to have an additional occupation or have a business interest, they should ensure that it does not involve any activity that is likely to interfere with the impartial discharge of their duties with the Office of the Nottinghamshire Police and Crime Commissioner or is likely to give members of the public justifiable concern that it may so interfere.

The additional occupation or business interest must not impact on the member of staff's ability to carry out their role with the Office of the Nottinghamshire Police and Crime Commissioner and their duties with the Office of the Nottinghamshire Police and Crime Commissioner should be treated as a priority.

The definition of a business interest is where a staff member holds any office or employment for gain or hire (other than as an employee of the Office of the

Nottinghamshire Police and Crime Commissioner) or carries on any business.

Any business interest / additional occupation held by anyone prior to joining the Office of the Nottinghamshire Police and Crime Commissioner must first be agreed and accepted as suitable before a final offer of employment is made.

#### **4.3.1 Police Staff Council Pay and Conditions of Service Handbook 2004**

The Handbook sets out the nationally agreed terms and conditions of service for Police Staff, which can be varied by local agreements. All reference in the Handbook to staff refers to employees of the Office of the Police and Crime Commissioner. (A copy of the Handbook can be viewed on the Intranet – *Library-Polices and Procedures-Human Resources-Other polices / procedures-Staff Handbook*.)

The Handbook outlines conditions of service on working time, health and safety, equal opportunities and flexible working, and whilst there are no guidelines in relation to business interests or additional occupations they are based on the guiding principles of providing a service to the community the Police Force serves.

#### **4.4 DEFINITION OF A BUSINESS INTEREST AND ADDITIONAL OCCUPATION**

- △ A member of staff carries on any business and / or holds any office or employment for hire or gain, which is in addition to a main full, part time or voluntary role with the Office of the Nottinghamshire Police and Crime Commissioner.
- △ An employment where they are entitled to access all employee rights.
- △ A business that will provide a service to an unrestricted group of the public.
- △ An applicable business operated by a member of staff's spouse / partner (where they are not separated).
- △ A business operated by a family relative at premises where the member of staff resides.
- △ The member of staff, their spouse, partner or any family relative holds, or possesses a pecuniary interest in a liquor licence, public house, off licence or betting / gaming establishment within the Force area.
- △ Paid or voluntary, outside of the police service or a business owned by the member of staff, or close relative where there is a direct implication to the member of staff and could be seen as being incompatible with the business of the Police Service.

#### **4.5 CONSIDERATIONS**

The Police and Crime Commissioner has delegated the responsibility for approval of business interests / additional occupation to the Head of the Professional Standards Directorate. In making a decision as to whether a business interest or additional occupation should be allowed, the Head of PSD will consider the following:

- Whether the activity is one regulated by the Police, or where Police are involved in licensing.

- ❑ Whether the business interest has the potential to cause embarrassment or bring disrepute to the organisation.
- ❑ Whether a conflict of interest could arise where a member of staff may compromise their impartiality, or where the public may believe that to be so.
- ❑ Whether the business interest is merely an extension of the member of staff's function as a member of the Office of the Nottinghamshire Police and Crime Commissioner.
- ❑ The extent to which any training given and skills acquired whilst working for the organisation are relied upon for the business interest / additional occupation. This will be a matter of serious consideration but not an automatic bar to the request.
- ❑ The personal health and wellbeing of the member of staff. A business interest / additional occupation 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 with the Office of the Nottinghamshire Police and Crime Commissioner to a satisfactory standard. Conversely, it may provide an outlet for stress or an opportunity for exercise.
- ❑ Compliance with the Working Time Regulations. Taking regard to the total hours worked and the health and safety of the member of staff and others in the workplace.
- ❑ Current performance should always be considered for all applicants

#### **4.6 APPLICATION – PRINCIPLES**

- ❑ Members of staff joining the Office of the Police and Crime Commissioner, either as recruits or transferees who have business interests / additional occupations will be required to declare and seek approval for these in accordance with this procedure.
- ❑ Applications must be accompanied by a recommendation from the appointing manager.
- ❑ Special consideration will be given to members of staff who are seeking approval for a Business Interest or Additional Occupation and are within two years of retirement, to help them develop the necessary skills and experience to prepare for their future outside the organisation.
- ❑ Each case will be decided on its merits.
- ❑ Business interests and requests for additional occupations will be subject to review by the relevant Chief Executive in conjunction with the Police and Crime Commissioner to ensure continued compatibility.
- ❑ The business interest should be reviewed at least once every twelve months and in any case at the time of the annual performance review. This review will be undertaken by the line manager of the holder of the business interest/additional employment authorisation using form G1014F.

## 4.7 APPLICATION PROCESS

Applications should be made to the Line Manager on form G1014A, giving full details of the request, i.e. type of work, tasks they will be undertaking, hours involved, financial gain and the likely impact on their role within Office of the Nottinghamshire Police and Crime Commissioner etc. giving full details of the business interest / additional occupation. The form should contain as much information as possible as any information not supplied could lead to the application being returned or refused.

The Line Manager will discuss the details with the member of staff and satisfy themselves that the business interest will not be of detriment to the Police and Crime Commission or to the member of staff's ability to perform their duties of the role they hold within the Office of the Nottinghamshire Police and Crime Commissioner. The Line Manager will need to be clear that there will be no impact on the member of staff's ability to perform their role or deliver an effective service and that there will be no impact on the rest of the team. The needs of the organisation must be the paramount consideration. The Line Manager will then submit a recommendation to the relevant HRM.

Current performance and the attendance of the individual will be taken into consideration. An attendance management form with a copy of the member of staff's sickness record (available off NSPIS HR Self Service) and information in relation to the latest PDR must be attached to the application i.e. if there were any issues arising.

Applications should take into account the balance between organisational / team commitments and the needs of the applicants.

The Line Manager will make a recommendation regarding approval and forward the papers to the relevant Chief Executive who will also make a recommendation. The papers will then be sent to the Head of PSD within 28 days of receipt. If timescales cannot be met this should be discussed with the member of staff and the reasons given.

The Head of PSD will consider the business interest / application for additional occupation after seeking advice from the Head of Vetting of the Professional Standards Directorate in relation to compatibility with the applicant's role within the Office of the Nottinghamshire Police and Crime Commissioner, and make a decision within 28 days. If these timescales cannot be met, the reason for this will be communicated to the member of staff via the relevant Chief Executive or HR Team.

The papers will be returned to the member of staff and relevant Chief Executive. Details of the decision will be recorded on the personal file and NSPIS HR with review dates inserted onto the record.

It is the responsibility of the member of staff to report any changes in circumstances that relate to the business interest / additional occupation. This should be done via a new business interest application.

## 4.8 APPLICATION – CONDITIONS

- △ The member of staff must not appear at the business premises in Police uniform.
- △ The member of staff must not use their role with the Office of the Nottinghamshire Police and Crime Commissioner to promote the business or any product of the business, nor should they allow other organisations to do so. The business must

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not be advertised at Office of the Police and Crime Commissioner premises, or in corporate publications, with the exception that the business interest may be advertised in the Classified Ads section on the Intranet

- △ Duties / commitments in connection with the business / additional occupation will be carried out in the member of staff's own time and away from the Office of the Police and Crime Commissioner premises.
- △ Members of staff pursuing outside business interests / additional employment, will not use the Office of the Police and Crime Commissioner's resources including the IT systems, the telephone and stationery.
- △ The member of staff is responsible for any obligations to declare earnings to HM Revenue and Customs
- △ The member of staff is responsible for compliance with the Working Time Regulations and individual health and safety. Members of staff must sign an indemnity against injury or personal loss incurred as a result of the business interest / additional occupation on the application form and any member of staff who makes themselves unfit for duty through undertaking a business interest / additional occupation may be subject to misconduct regulations / disciplinary procedures.
- △ No special consideration will be given regarding tours of duty and the requirement to perform duty (even at short notice) will take precedent over any prior commitment to the business / additional occupation.
- △ It is the responsibility of the individual to keep records of hours worked. These records must be available for audit purposes if requested.
- △ Where approval is given to a spouse's / partner's or relative's business interest, the member of staff must play no part in the day to day running of the business unless this has also been expressly approved.
- △ If, at any time following approval of the business interest, concerns are raised in respect of the member of staff's ability to discharge their duties and responsibilities, the Police and Crime Commissioner in liaison with the Chief Executive, will review the situation and make a recommendation to the Head of PSD as to whether authority for the business interest should be withdrawn.
- △ If a member of staff is or becomes aware that a relative <sup>1</sup> included in the immediate family, proposes to have or has a business interest and / or additional occupations, which in the opinion of the member of staff interferes or could be seen as interfering with the impartial discharge of the duties within the Office of the Nottinghamshire Police and Crime Commissioner, then the member of staff should give written notice of the interest / additional occupation to the Head of PSD. This should be done via a General Report.
- △ If a member staff does not disclose a business interest / additional occupation or continues to be involved in a business interest / additional occupation when an application has been declined, disciplinary action may be taken.

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<sup>1</sup> Reference to a relative included in a member's family shall include a reference to his spouse, parent, son, daughter, brother, sister, civil partner or any person living with the member as if they were his spouse or civil partner.

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- △ The welfare of the staff member will also be a consideration.

## **4.9 APPLICATION – APPEALS**

- △ Within 10 days of being notified of the decision, the member of staff may appeal to the Chief Executive by sending written notice.
- △ Within the next 10 days the Head of PSD, will submit a report to the Chief Executive setting out the reasons for the decision and attach copies of any relevant documentation.
- △ The Chief Executive or nominated person will then review the decision and the member of staff will be notified of the decision within 28 days.
- △ The Chief Executive's decision will be final and no further appeal will be available.
- △ The relevant HR Department shall be notified of the appeal decision in order that the NSPIS HR system can be updated.

## **4.10 DECLARATIONS AND REVIEWS**

### **4.10.1 Declaration**

Business interests and requests for additional occupations should be declared in all applications for promotion, alternative employment within the Office of the Police and Crime Commissioner, specialist posts, service in a 'designated' post where Management Vetting is required, secondments and for training courses that require commitment to private study or have elements of residential modules that are external.

### **4.10.2 Reviews**

- △ If there are any changes to the business interest / additional occupation, the individual will be responsible for resubmitting an application for continuation of the business interest / additional occupation to their Chief Executive who will forward the information to the Head of PSD. Consideration may be given to removing the approval if the individual fails to inform of any change of circumstances.
- △ It is the responsibility of the individual to notify HM Revenue and Customs of any additional income or occupation.
- △ Where an individual is subject to performance / capability procedures, current approved or new applications for a business interest / additional occupation should be reviewed by relevant Chief Executive and the individual required to submit an application for its continuance, which will then be forwarded to the Head of PSD with the Chief Executive's recommendations. Each application / review should be considered against the key principles and if applicable, the business interest /



additional occupation can be withdrawn pending the outcome of the performance / capability procedures.

- △ Where an individual has been absent from work due to sickness for a period of 28 days or more, consideration by the relevant Chief Executive can be given to suspending approval of a business interest / additional occupation pending a return to work. In the event of a return to work on restricted or recuperative duties, consideration should be given to requiring the individual to resubmit an application for continuity of the business interest / additional occupation. A full review of the business interest / additional occupation may be undertaken where it is evidenced that the individual's sickness has impacted on performance in the role with the Office of the Nottinghamshire Police and Crime Commissioner. The Head of PSD should be informed where a business interest/additional occupation is suspended and whether a resubmission of the business interest/additional occupation is required.
- △ If it is found that a member of staff has not disclosed a business interest / additional occupation or continues to be involved in a business interest / additional occupation when an application has been declined, disciplinary action may be taken.
- △ Details of business interests / additional occupations will be maintained on NSPIS HR / personal files by relevant HR Teams and will be managed and disposed of in line with the organisation's information management policy. All reviews will be recorded on NSPIS HR and personal files.
- △ The Head of Vetting will undertake 'dip sampling' on a 2 yearly basis to ensure compliance with the procedure and to ensure that the Working Time Directive is being adhered to.
- △ The Head of Vetting will review this procedure on a 2 yearly basis to ensure continuing relevance and compliance with legislation.

#### **SECTION 4 LEGISLATIVE COMPLIANCE**

This document has been drafted to comply with the general and specific duties in the Race Relations (Amendment) Act 2000, Data Protection, Freedom of Information Act, European Convention of Human Rights and other legislation relevant to the area of policing such as, Employment Act 2002, Disability Discrimination Act 1995, Sex Discrimination Act 1975 and Employment Relations Act 1999.

**APPENDIX 1****Summary of Conditions**

<p>The duties of a member of staff with the Office of the Nottinghamshire Police and Crime Commissioner will take precedence over the business interest / additional occupation. A member of staff should ensure that a business interest / additional occupation, does not interfere with their hours of work with the Office of the Nottinghamshire Police and Crime Commissioner.</p>
<p>Staff remain subject to the Police Staff disciplinary procedure and capability procedure whilst undertaking the business interest / additional occupation.</p>
<p>All business interest activities will be carried out in a private capacity and at no time will the member of staff use their position with the Office of the Nottinghamshire Police and Crime Commissioner to gain, influence or mislead customers or traders associated with the business interest.</p>
<p>A business interest will not be carried out in duty time; however where an officer or staff member performs 'on call' they must not place themselves in a position of being unable to respond to that call due to a business interest/additional employment. The business interest/additional employment must not be undertaken during staff member's travel to and from duty.</p>
<p>A business interest will not take place on Police premises or in the Office of the Police and Crime Commissioner's establishments without prior approval.</p>
<p>A staff member's duties will not be re-arranged for the purposes of pursuing a business interest / additional occupation. In essence the business interest / additional occupation should require no time commitment or availability during contractual or duty hours. Similarly a member of staff should be available for re-call to duty should circumstances dictate. An staff member's right to take time off is not affected by these procedures.</p>
<p>A member of staff should ensure that all legal obligations in relation to the business interest / additional occupation are fulfilled e.g. taxation payments, national insurance contributions, correct practice in relation to employment legislation, environmental health etc.</p>
<p>A member of staff must ensure that the business interest / additional occupation does not have an adverse effect on physical or mental ability to carry out their duties with the Office of the Nottinghamshire Police and Crime Commissioner. The Working Time Regulations shall apply.</p>
<p>A member of staff will immediately notify the Head of the Professional Standards Directorate of any changes or amendments to the business interest.</p>
<p>The Head of the Professional Standards Directorate reserves the right to periodically review the business interest/ additional occupation criteria and propose any amendments deemed necessary.</p>

## **APPENDIX TWO**

# **POLICE STAFF COUNCIL**

## **Police Staff Standards of Professional Behaviour**

### **Introduction**

Public confidence in the police depends on police staff demonstrating the highest level of personal professional standards of behaviour. The standards set out below reflect the expectations that the police service and the public have of how police staff should behave. They are not intended to describe every situation but rather to set a framework, which everyone can easily understand. They enable everybody to know what type of conduct by a member of police staff is acceptable and what is unacceptable. The standards should be read and applied having regard to this guidance.

The standards of professional behaviour also reflect relevant principles enshrined in the European Convention on Human Rights and the Council of Europe Code of Police Ethics. They apply to all police staff and to those subject to suspension.

The standards set out below do not restrict police staffs' discretion; rather they define the parameters of conduct within which that discretion should be exercised. A breach of these standards may damage confidence in the police service and could lead to disciplinary action, which in serious cases may result in dismissal.

The public have the right to expect the police service to protect them by upholding the law and providing a professional police service. Police staff have the right to a working environment free of harassment, inequality or discrimination from others within the service and members of the public. The police service will proactively support such a working environment.

### **OVERVIEW**

#### **Honesty and Integrity**

Police staff are honest, act with integrity and do not compromise or abuse their position.

#### **Authority, Respect and Courtesy**

Police staff act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.

Police staff do not abuse their powers or authority and respect the rights of all individuals.

#### **Equality and Diversity**

Police staff act with fairness and impartiality. They do not discriminate unlawfully or unfairly.

#### **Use of Restraint**

Police staff only use restraint as part of their roles and responsibilities to the extent that it is necessary, proportionate and reasonable in all the circumstances.

### **Instructions**

Staff only give and carry out reasonable instructions.

Staff follow all reasonable instructions and abide by the Office of the Police and Crime Commissioner's policies.

### **Work and Responsibilities**

Staff are diligent in the exercise of their work and responsibilities

### **Confidentiality**

Staff treat information with respect and access or disclose it only in the proper course of their work.

### **Fitness for Work**

Staff when at work are fit to carry out their duties.

### **Discreditable Conduct**

Staff behave in a manner, which does not discredit the police service or undermine public confidence in the police service.

Staff report any conviction or caution against them for a criminal offence.

### **Challenging and Reporting Improper Conduct**

Staff whilst at work report, challenge or take action against the conduct of colleagues, which have fallen below the standards of professional behaviour expected.

### **Guidance on the Standards of Professional Behaviour**

Those entrusted to supervise and manage others are role models for delivering a professional, impartial and effective policing service. They have a particular responsibility to maintain standards of professional behaviour by demonstrating strong leadership and by dealing with conduct, which has fallen below these standards in an appropriate way, such as by management action or the formal disciplinary process. Above all else managers should lead by example.

In carrying out their work in accordance with these standards, police staff have the right to receive the full support of the police service. It is recognised that the ability of police staff to carry out their work to the highest professional standards depends on the provision of appropriate training, status, pay and reward, equipment and management support.

The police service has a responsibility to keep police staff informed of changes to terms and conditions of employment, laws/legislation, local policies, and procedures also to provide training and familiarisation when such changes necessitate. Police staff have a

duty to keep themselves up to date on the basis of the information provided by the employer, as far as it relates to them personally.

Where these Standards of Professional Behaviour are being applied in any decision or disciplinary process, they shall be applied in a reasonable, transparent, objective and proportionate manner. Due regard shall be paid to the nature and circumstances of the individuals conduct, including whether his or her actions or omissions were reasonable at the time of the conduct under scrutiny.

This guidance gives examples to help police staff interpret the standards expected in a consistent way. They are not intended to be an exclusive, prescriptive or exhaustive list.

Where the disciplinary procedure is being used, it is important to identify the actual behaviour that is alleged to have fallen below the standard expected of an individual, with clear particulars and evidence describing that behaviour.

It should be remembered that other procedures exist to deal with poor performance and issues of capability.

## **Honesty and Integrity**

### **Police staff are honest, act with integrity and do not compromise or abuse their position.**

Police staff act with integrity and are open and truthful in their dealings with the public and their colleagues, so that confidence in the police service is secured and maintained.

Police staff do not knowingly make any false, misleading or inaccurate oral or written statements or entries in any record or document kept or made in connection with any police activity.

Police staff never accept any gift or gratuity that could compromise their impartiality. During the course of their work police staff may be offered hospitality (e.g. refreshments) and this may be acceptable as part of their role. However, police staff always consider carefully the motivation of the person offering a gift or gratuity of any type and the risk of becoming improperly beholden to a person or organisation.

It is not anticipated that inexpensive gifts would compromise the integrity of a member of members of staff, such as those from conferences (e.g. promotional products) or discounts aimed at the entire organisation (e.g. advertised discounts through police publications). However, all other gifts and gratuities must be declared in accordance with local policy where authorisation may be required from a manager, Chief Officer or the Police and Crime Commissioner to accept a gift or hospitality. If an individual is in any doubt then they should consult with their manager.

Staff never use their position or Office of the Police and Crime Commissioner identification card to gain an unauthorised advantage (financial or otherwise) that could give rise to the impression that the individual is abusing his or her position. An identification card is only for identification or to express authority.

## **Authority, Respect and Courtesy**

**Police staff act with self-control and tolerance, treating members of the public and colleagues with dignity, respect and courtesy.**

**Police staff do not abuse their powers or authority and respect the rights of all individuals.**

In carrying out their roles, police staff should never abuse their authority or the powers entrusted to them. They have been given specific powers and responsibilities due to the complex and difficult situations they deal with. The public have the right to expect that such powers be used professionally, impartially and with integrity, irrespective of an individual's status.

Police staff do not harass or bully colleagues or members of the public.

Police staff do not, under any circumstances inflict, instigate or tolerate any act of inhuman or degrading treatment.

Police staff, recognise that some individuals who come into contact with the police, such as victims, witnesses or suspects, may be vulnerable and therefore may require additional support and assistance.

Police staff use appropriate language and behaviour in their dealings with their colleagues and the public. They do not deliberately use any language or behave in a way that is offensive or is likely to cause offence.

## **Equality and Diversity**

**Police staff act with fairness and impartiality. They do not discriminate unlawfully or unfairly.**

Police staff respect all individuals and their traditions, beliefs and lifestyles provided that such are compatible with the rule of law. In particular police staff do not discriminate unlawfully or unfairly when exercising any of their roles, discretion or authority.

Police staff pay due regard to the need to eliminate unlawful discrimination and promote equality of opportunity and good relations between persons of different groups.

Supervisors and managers have a particular responsibility to support the promotion of equality and by their actions to set a positive example.

## **Use of Restraint**

**Police staff only use restraint as part of their roles and responsibilities to the extent that it is necessary, proportionate and reasonable in all the circumstances.**

Police staff in specific designated roles may need to use restraint in carrying out their work.

It is for the individual to justify his or her use of force but when assessing whether this was necessary, proportionate and reasonable, all of the circumstances should be taken into

account and especially the situation which the individual faced at the time. Police staff use restraint only if other means remain ineffective or without any realistic prospect of achieving the intended result.

As far as it is reasonable in the circumstances police staff act in accordance with their training in the use of restraint, i.e. by applying the management/conflict resolution model to decide what restraint may be necessary, proportionate and reasonable. Section 3 of the Criminal Law Act 1967 makes it clear that force may only be used when it is reasonable in the circumstances.

Members of staff respect everyone's right to life and do not, under any circumstances, inflict, instigate or tolerate any act of torture, inhuman or degrading treatment or punishment.

## **Instructions**

**Staff only give and carry out reasonable instructions.**

**Staff follow all reasonable instructions and abide by the Office of the Police and Crime Commissioner policies.**

Staff do not give or carry out instructions which an individual would conclude were unreasonable.

Two factors should be considered when assessing if it was reasonable not to follow an instruction. First of all, was the instruction reasonable having regard to all the circumstances and secondly, did the individual have a good and sufficient reason not to comply having regard to all the circumstances and possible consequences.

Members of staff, to the best of their ability, support their colleagues in their work. Members of staff abide by terms and conditions of employment.

## **Work and Responsibilities**

**Members of staff are diligent in the exercise of their work and responsibilities.**

Members of staff do not knowingly neglect their work or responsibilities.

When deciding if an individual has neglected his or her work or responsibilities, all of the circumstances should be taken into account. Members staff have discretion and may have to prioritise the demands on their time and resources. This may involve leaving a task to do a different one, which in their judgement is more important. This is accepted and in many cases essential for good working.

Staff ensure that accurate records are kept of the exercise of their work and powers as required by relevant legislation, policies and procedures.

In carrying out their work members of staff have a responsibility to exercise reasonable care to prevent injury, loss of life or loss or damage to the property of others (including the organisation's property).

## **Confidentiality**

**Members of staff treat information with respect and access or disclose it only in the proper course of their work.**

The organisation shares information with other agencies and the public as part of its legitimate policing business. Members of staff never access or disclose any information that is not in the proper course of police work. Members of staff that are unsure if they should access or disclose information always consult with their manager or department that deals with data protection or freedom of information before accessing or disclosing it.

Members of staff do not provide information to third parties who are not entitled to it. This includes for example, requests from family or friends, approaches by private investigators and unauthorised disclosure to the media. The Public Interest Disclosure Act may cover certain disclosures.

## **Fitness for Work**

**Members of staff when at work are fit to carry out their duties**

Members of staff do not make themselves unfit or impaired for work as a result of drinking alcohol, using a substance for non-medical purposes or intentionally misusing a prescription drug.

Members of staff with a drink or drugs misuse problem will be supported if they demonstrate an intention to address the problem and take steps to overcome it. However, the use of illegal drugs will not be condoned.

Members of staff who are aware of any health concerns that may impair their ability to perform their work should seek guidance from the occupational health department or line manager and if appropriate reasonable adjustments can be made.

Members of staff who are unexpectedly called to attend for work should be able to say that they are not fit to perform the required work as a result of having consumed alcohol without risk of bringing discredit on themselves or the police service or being subject to any disciplinary procedure.

Individuals when absent from work, on account of sickness, do not knowingly engage in activities, which could impair their return to work. Individuals will engage with the medical officer or other member of the occupational health team if required.

## **Discreditable Conduct**

**Members of staff behave in a manner which does not discredit the Office of the Police and Crime Commissioner, police service or undermine public confidence in the police service.**

**Individuals report any caution or conviction against them for a criminal offence.**

Discredit can be brought on the organisation by an act itself or because public confidence in the police is undermined. In general, it should be the actual underlying conduct of the individual that is considered under the disciplinary procedure. However where a member



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of staff has been convicted of a criminal offence that alone may lead to disciplinary

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action irrespective of the nature of the conduct itself. In all cases it must be clearly articulated and evidenced how the conduct or conviction has discredited the organization and/or police service.

In the interests of fairness, consistency and reasonableness the test is not solely about media coverage and perception but has regard to all the circumstances and evidence.

Individuals do not purchase or consume alcohol when performing their duties, unless specifically authorised to do so or it becomes necessary for the proper discharge of a particular police function.

Individuals when at work whether in uniform or not, display a positive image of the police service in the standard of their appearance which is appropriate to their individual role.

Individuals attend punctually when rostered for work or other commitments (e.g. attendance at court).

## **Challenging and Reporting Improper Conduct**

**Individuals report, challenge or take action against the conduct of colleagues, which have fallen below the standards of professional behaviour expected.**

Individuals are expected to uphold the standards of professional behaviour in the police service by taking appropriate action if they come across the conduct of a colleague which has fallen below these standards. They never ignore such conduct.

Individuals who in the circumstances feel they cannot challenge a colleague directly, for example if they are in a more junior role and are not confident, report their concerns, preferably to a line manager. If they do not feel able to approach a line manager with their concerns, they may report the matter through the organisation's confidential reporting mechanism, or to the Office of the Police and Crime Commissioner, Independent Police Complaints Commission (IPCC) or under the Public Interest Disclosure Act.

Members of staff will be supported by the organisation if they report conduct by an individual which has fallen below the standards expected unless such a report is found to be malicious or otherwise made in bad faith.

It is accepted that the circumstances may make immediate action difficult but managers are expected to challenge or take action as soon as possible.

It is accepted however that it will not always be necessary to report an individual's conduct if the matter has been dealt with appropriately by a manager in the organisation.

## FORM G1014A - APPLICATION FOR APPROVAL OF BUSINESS INTEREST / ADDITIONAL OCCUPATION –

<b>Name:</b>		<b>Rank / Collar No:</b>	
<b>Post:</b>		<b>Div / Dept / Location:</b>	

### Before completing the form, please consider the following:

A business interest / additional occupation may have the potential to place you in a position of conflicting interest, thus leaving you vulnerable to being in breach of the Capability Procedure.

A business interest / additional occupation may have the potential to impact on your ability to display impartiality when carrying out your duties for the Office of the Nottinghamshire Police and Crime Commissioner.

A business interest / additional occupation may have the potential to interfere with your duties as a member of the Office of the Nottinghamshire Police and Crime Commissioner.

### Please complete all sections of the form – if not applicable please put N/A in the space provided.

1	Who will be directly involved in the Business Interest? <b>If you are not directly involved, please give full details of the person(s) involved and your relationship with them.</b>	
2	Please give a detailed description of the role you will take in the proposed business interest / additional occupation i.e. type of work, tasks you will be required undertake, financial gain etc.	
3	How many hours a week do you consider the business interest / additional occupation will take? Please consider fully the implications of Working Time Directive (available on the Intranet)	
4	Give full details of proposed employer (if applicable) including name, address and nature of business.	
5	Give details (if applicable) of any person you intend to employ.	
6	Is the business interest / additional occupation regulated by, or does it require a licence or permit that is administered by the Police? <b>If yes please give details.</b>	
7	What steps will you take to ensure that the business	

inter

est / additional occupation will not affect your capability of carrying out the role of a member of the Office of the Nottinghamshire Police and Crime Commissioner? E.g. ensuring your personal well-being.	
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I declare that should I suffer any injury or personal loss as a consequence of my undertaking a business interest or additional occupation whilst I am still a member of the Office of the Nottinghamshire Police and Crime Commissioner, I will make no claim against the Office of the Nottinghamshire Police and Crime Commissioner for such injury or personal loss. I declare that all the information I have provided is correct and true to the best of my knowledge and belief. I am aware that if I have knowingly submitted any false or misleading information, I may be subject to disciplinary proceedings.	
Signed:	
Please Print Name:	
Dated:	

**OFFICE USE ONLY**

		Signature	Date
Application received by Line Manager			
Application received by relevant Chief Executive			
Application supported by Chief Executive			
Application not supported by Chief Executive			
Application forwarded to Head of the Professional Standards Directorate for consideration and decision			
<b>APPROVED</b>	<b>REJECTED</b>		
Decision communicated by relevant Chief Executive			
Approval / Refusal letter sent to applicant			
Personal record updated on HR System (by the relevant HR Section)			

Data Protection – these details will be kept on your confidential personal file and your computerised personal record. They will be kept in line and disposed of with the organisations information management criteria.

FORM G1014B – NOT APPLICABLE

OFFICE OF THE NOTTINGHAMSHIRE  
POLICE AND CRIME COMMISSIONER

Form G1014D

**MEMORANDUM**

To:

From: Det Supt B Beasley

Ext: 8002550

**Subject: BUSINESS INTERESTS**

Date:

Copies HEAD OF VETTING  
CHIEF EXECUTIVE

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I refer to your application for a business interest dated . From the information that you have furnished, I authorise this business interest.

I hereby give written notice that you must notify by way of a new application any changes that affect this business interest relating to:

1. Any change in location of the business
2. Any change in partners or other persons with interest in the business
3. Any increase in your commitment to the business
4. Any change in the general clientele
5. Any change in the nature of the business
6. Any cessation of the business
7. Any other significant change to the business

B Beasley

Detective Superintendent

Head of the Professional Standards Directorate

**CONDITIONS IN RESPECT OF APPROVAL OF A BUSINESS INTEREST**  
**(STAFF)**

**Staff:**

**Business Interest:**

Following approval of your business interest dated            your attention is drawn to the following conditions/restrictions.

1. You must not appear at the business premises in uniform provided, or undertake any other non-police business in the provided uniform.
2. You must not advertise your office as an Office of the and Crime Commissioner to promote the business or any product of the business, nor should you allow other persons or organisations to do so.
3. You must not pursue duties/commitments in connection with your business interests in the organizations time or on the organisations premises.
4. You are responsible for compliance with the European Working Time Regulations and Attendance Management Policy.
5. You must not utilise any organisation equipment in undertaking the approved business interest including telephones, computers and stationery.
6. You are under an obligation to declare any earnings to Her Majesty's Revenue and Customs.

OFFICE OF THE NOTTINGHAMSHIRE POLICE  
AND CRIME COMMISSIONER

Form G1014E **MEMORANDUM**

To:

From: Det Supt B Beasley

Ext: 8002550

**Subject: REJECTION OF A BUSINESS INTEREST (STAFF)**

Date:

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CHIEF EXECUTIVE

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I refer to your application for a business interest dated . From the information that you have furnished, I decline this business interest.

Should you wish to appeal this decision, you must do so in writing to the Police and Crime Commissioner within 10 days of receiving this notice

B Beasley

Detective Superintendent

Head of the Professional Standards Directorate

FORM G1014 F - RESTRICTED STAFF (WHEN COMPLETED)

**Business Interest Review Form**

**Failure to complete this form may result in the business interest/additional employment authorisation being withdrawn.**

Name		Rank/Role	
Station		Collar Number/ Employee Number	
Supervisor Name & Rank		Supervisor Collar Number/ Employee Number	

**Specify the Nature of the Business:**

<b>Trading Name</b>			
<b>Trading Address</b>			
<b>Number of Employees</b>		<b>Time spent on business per week (hours)</b>	

**Describe your current involvement in the business:**

**Any Changes to Business or involvement since last review/authorised?**



<p><b>Are there any debt issues associated with this business interest? Have you been subject to any court or legal proceedings?</b></p>	
<p><b>Are you ensuring that any additional income received as a result of this business interest is reported to HMRC?</b></p>	

<ul style="list-style-type: none"> <li>• I consent to the information provided on this form being used by PSD for the purpose of monitoring my business interest</li> <li>• I declare that the information I have given is true and complete to the best of my knowledge and belief.</li> <li>• I undertake to notify any material changes in the information I have given.</li> <li>• I understand that any false statement or deliberate omission I have given in this review document may result in my business interest/additional employment authorisation being terminated and may make me liable to discipline action.</li> </ul>			
Signed		Date	

Supervisor Comments			
Date of meeting		Time of meeting	
<p><b><u>Detail of content of discussion:</u></b></p>			
<p><b><u>Impact of Business interest on Duties:</u></b></p>			
<p><b><u>Any conflict of interests?</u></b></p>			
<p><b><u>Do you have any concerns regarding this application continuing?</u></b></p>			

Signed		Date	
Rank		Collar Number/ Employee Number	

**ON COMPLETION PLEASE RETURN TO THE HEAD OF VETTING PROFESSIONAL STANDARDS DIRECTORATE.**

<b>PSD/Vetting</b>			
<b>Business Interest Authorised to Continue</b>			<b>Yes/No</b>
<b>Signed</b>		<b>Date</b>	