



Business Interests Policy

Figure 1 Tables outlining policy's owner and change log

Owning Department:	Performance and Scrutiny
Author:	Complaints and Compliance Manager
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Last Review Date:	October 2024
Next Review Date:	October 2027

Change Log – details of any changes made	Date
Updated logo and additional information regarding those entering employment with the OPCCN.	October 2024

Introduction

Staff who have a business interest (includes additional occupation and voluntary roles) or wish to obtain approval for undertaking a business interest should comply with the procedures outlined within this policy.

This policy aims to ensure that all staff are treated equally, fairly and from an organisational perspective, security, ethics and responsibilities are considered. The application of this policy gives Office of the Police and Crime Commissioner for Norfolk (OPCCN) staff the opportunity to pursue legitimate business interests compatible with their duties whilst

ensuring the maintenance of the professional image and integrity of the OPCCN, the health, safety and welfare of its staff and compliance with the European Working Time Regulations.

Policy

All staff are required to declare and seek approval to undertake a business interest if, outside their OPCCN employment, they carry on any business or employment for hire or gain, and:

- the business is one that could conflict with the functions of the OPCCN.
- the business or its association is or could be in contract with the OPCCN 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.
- Undertaking the business may infringe European working time regulations.
- 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 OPCCN area.
- If the member of staff holds or intends to hold any office or occupation; paid, unpaid or voluntary (e.g. political office, director, school governor, reserve forces, parish councilor) or carry on any business (other than as a member of OPCCN staff).
- 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.

Where the business interest already exists, applicants for posts within the OPCCN will be required to declare and seek approval as part of the recruitment and selection process. This must be completed prior to commencing employment. This must be done through the OPCCN and not as part of the HR and vetting process carried out within the Service Level Agreement between the OPCCN and Norfolk Constabulary.

Voluntary declarations are encouraged from any staff member who has a business interest, regardless of the role they undertake within the OPCCN.

Key Principles

The Chief Executive has responsibility for the approval of business Interests.

Each case will be considered on its own merits, however there are a number of factors that may be considered in reaching a decision, in addition considering whether the type of business interest of additional occupation may be compatible.

The following criteria will be considered:

- 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 OPCCN.
- whether the business interest has the potential to cause embarrassment or bring disrepute to the OPCCN.
- whether the business interest could have a direct impact on the operational efficiency of the OPCCN.
- any risk to the personal health and wellbeing 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 European Working Time Regulations, with specific regard to the total hours worked (in relation to their employment with the OPCCN and their business interest) and the resultant risks to health and safety.

Application process

The stages in the process are as follows: -

- i) The staff member may meet with their line manager to discuss their business interest, prior to making a formal application. The Business Interest Application form is available on the Shared Drive ([Business Interests](#)) or from the Complaints and

Compliance Officer or Business Support Officer. The application form is designed to provide staff members with the opportunity to demonstrate that their business interest(s) are compatible with their role.

- ii) Following this meeting the staff member will submit the application form to their line manager who will progress the application with the Chief Executive.
- iii) 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.
- iv) 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.
- v) 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.
- vi) 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

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 OPCCN premises.
- The activity to be conducted in such a way as not to give the impression of affecting the member of staff's impartiality or bring the OPCCN into disrepute.
- They must not advertise their role as a member of OPCCN 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 European 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.
- If an individual is absent due to sickness they must not pursue the activity.
- The individual must notify the Chief Executive of any change in circumstances relating to the business interest.

Appeals Process

When an application is refused, the staff member has a right to appeal. Where the staff member wishes to appeal, he/she may do so by giving notice in writing, together with copies of the case documentation, to the PCC within 10 working days of receiving notice, or within such longer period as the PCC will allow. Any extension of time should be sought from the PCC.

If an appeal is lodged, the PCC will require the Chief Executive to submit, within 10 days, a notice providing full reasoning for the decision, together with copies of any supporting documentation.

The PCC will thereafter give the individual an opportunity to provide his/her written comments within 14 days.

The PCC's decision will be final.

Withdrawal of Approval of Business Interests

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.

Monitoring/Evaluation

The adherence to and the effectiveness of this policy and associated procedure will be monitored by the Complaints and Compliance Officer who will provide regular updates to the Chief Executive.

Transparency

This policy will be published in line with the Freedom of Information Publication Scheme.