

[Title of Procurement]

Declaration of Interest / Conflict

This policy applies to permanent civil servants, interims and contractors plus all external consultants / advisers involved in the Project.

Introduction

It is vital that everybody working on the Project upholds the highest business and ethical standards.

This is essential both for ethical and legal reasons and to ensure the Project objectives and successful procurement results are achieved.

Any breach of ethical standards could have severe consequences for the individual(s) concerned, the Project and the [Insert Contract Authority], and any suppliers involved. Consequences could include disciplinary action or even prosecution.

Principles

Individuals must always act professionally and selflessly by:

- Maintaining the highest possible standard of integrity in all their business relationships;
- Rejecting any business practice which might reasonably be deemed improper and never using their authority for personal gain; and
- Complying both with the letter and the spirit of:
 - i. UK and EU law, Treasury and other relevant regulations or guidance;
 - ii. Departmental and other policies; and
 - iii. contractual obligations.

Action Required

As well as confirming this policy statement has been read and understood, individuals are required to:

- Complete the attached Declaration of interest form; and
- Raise any matter of concern of an ethical nature with their immediate line manager or another senior colleague (for instance, in the case of a consultant, their managing consultant or Partner) if they believe there is any possibility of an issue of this nature arising.

Guidance

In applying these principles, individuals should follow the guidance set out below:

- **Declaration of interest** - Any personal interest which may affect *or be seen by others to affect* an individual's impartiality in any matter relevant to his or her duties should be declared.
- **Confidentiality and accuracy of information** - The confidentiality of information received in the course of duty should be respected and should never be used for personal gain. Information given in the course of duty should be honest and clear.
- **Business gifts** - Other than items of very small intrinsic value such as business diaries or calendars gifts should not be accepted.
- **Hospitality** - The recipient should not allow him or herself to be influenced or be perceived by others to have been influenced in making a business decision as a

consequence of accepting hospitality. As a guide this should not be greater than [Insert Contract Authority] would normally reciprocate, and a 'Hospitality and Gifts Record Form' should also be completed and returned to the Commercial team where relevant.

This is particularly sensitive during the contracting process, when purely social hospitality with potential or actual bidders should be avoided.

Specific Issues

While this is not an exclusive list, individuals should consider the following aspects that should be declared - ***if in doubt, it is better to declare***. A declaration does not mean you will be excluded from the Project and each case will be addressed on its own merits. A minor interest (for example, a small shareholding) is unlikely to be an issue.

A list of the registered Project suppliers is attached within the Conflicts of Interest Certificate as appendix A. This may be useful for people to assess the likelihood of a conflict, although it should be noted that there will undoubtedly be other firms not listed here who may bid for contracts.

Aspects to consider:

- **Shareholdings** in firms that may bid (not including shares held in general unit/investment trusts, pension schemes, etc).
- **Close personal involvement** with a bidding firm, such as previous employment, or current discussions about employment.
- **Other commercial interests** which might include involvement in a business that is owned by, works with or supplies a likely bidder (e.g. a consultant who works with the Contracting Authority but also regularly supplies services or goods to firms in the export advisory sector) or ownership of a design right, patent, copyright or other intellectual property that might relate to potential aspects of the Project.
- A **relative or friend** who works for or has a major interest in a likely bidding firm. This includes partners (whether married or not), parents, children, and other close family members/ friends.

All declarations will be treated as confidential by the Contracting Authorities Commercial team, and will only be disclosed more widely where absolutely necessary; Generally where a risk has been identified and resolution or mitigation is required.

Decisions and Advice

Any individual approached with a proposition that could be construed as against the letter or spirit of this policy must inform their line manager or other senior individual immediately.

When it is not easy to decide between what is and is not acceptable, advice should always be sought from line management, another senior colleague or ultimately the Deputy Director – Commercial.

RESTRICTED ONCE COMPLETED

[Insert Contracting Authority] - Declaration of Interest / Conflict

Please complete and return a signed copy of this form to [Insert emails] Please note: **Nil returns are required.**

I have nothing to declare with respect to any interest or conflict (whether real or potentially perceived) in terms of the Project.

Signed:

Name:

Position:

Date:

OR:

I wish to declare the following with respect to interest or conflicts;

(E.g. Current or recent employment of you or a close relative or spouse, directorships, memberships, shareholdings and other relevant information, providing details of the potential conflict of interest)

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Signed:

Name:

Position:

Date:

Should you become aware of any conflict of interest after returning your declaration, you must submit a new form as soon as possible.

RESTRICTED ONCE COMPLETED

Appendix A

Project – **[Insert Project Name]**

This appendix identifies suppliers who submitted a bid (relationships with other firms who may potentially bid should also be considered).

List of Suppliers:

[Insert Supplier Names]

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