

## **District Audit Probity Questions**

### **Section A.1 Members Interests**

- 1 Is there a Code of Conduct booklet for members?
- 2 Is it based upon the DETR Model Code of Conduct for Members?
- 3 Is it issued to all new members?
- 4 Do members confirm in writing that they have read and understood the Code?
- 5 Is it reviewed regularly?
- 6 Is a register of members' interests maintained?
- 7 Does the Authority define what types of interests should be declared?
- 8 Does the register include for each member, a Financial Interests Declaration?

*(NB: Within 28 days of an authority's code of conduct being adopted or applied or within 28 days of his election appointment to office [if later], a member must register his financial interests in the authority's register)*

- 9 Does the Financial Interest Declaration include the following:
  - (a) Employment or Business?
 

The declaration should include:

    - (i) employment, office, trade, profession or vocation carried out for income, profit or gain
    - (ii) The name of the person who employs or has appointed him, the name of any firm in which he is a partner, and the name of any company for which he is a remunerated director.
  - (b) Sponsorships (name of person who has made payments to members towards expenses as a councillor or electoral expenses)?
  - (c) Shareholdings (the name of any corporate body which has a place of business or land in the authority's area, and in which the member has a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body)?
  - (d) Contracts with the Authority (nature and length of contract they have with authority, either directly or as a shareholder, director or partner)?
  - (e) Land (land in the authority areas where the member has a beneficial interest either alone or with others)?
  - (f) Licences to occupy land for 28 days or longer?

- (g) Overseas Visits (register costs of trips funded by authority) (Wales only)?
- 10 Does the register include for each member, an Other Interests Declaration?
- (NB: Within 28 days of an authority's code of conduct being adopted or applied or within 28 days of his election appointment to office [if later], a member must register his other in the authority's register)*
- 11 Does the Other Interests Declaration include, membership of or position of general control or management in any:
- (a) Body to which he has been appointed or nominated by the authority as its representative
  - (b) Public authority or body exercising functions of a public nature
  - (c) Company, industrial and provident society, charity or body directed to charitable purposes
  - (d) Body whose principal purposes include the influence of public opinion or policy; and
  - (e) Trade union or professional vocation?
- 12 Are there any procedures in place to identify and prevent pressure being exercised to influence purchasing or planning or contracting decisions?
- 13 Is the register available for public inspection by members of the public at all reasonable times at the Authority's offices? (S81 LGA 2000)?
- 14 Are management checks carried out to ensure maintenance of registers?
- 15 Is there a mechanism to ensure that all interests declared at Council meetings are recorded in the register of interests?
- 16 Does the monitoring officer review the register of interests alongside agenda papers to ensure that there are no known conflicts of interest?
- 17 Are there guidelines to follow where there has been a breach of the Code of Conduct

### **Section A.2 Members Interests Survey**

- 18 Had a declaration of interests been signed by members:
- (a) All members?
  - (b) Some Members?
  - (c) No Members?

### **Section B.1 Officers' Interests**

- 19 Does the Staff Handbook/Code of Conduct contain details on declaring interests?

- 20 Are all employees required to “declare their interests” on starting employment with the Authority?
- 21 Is a register of staff interests maintained?
- 22 Are the registers being maintained consistently between all directorates?
- 23 Are management checks carried out to ensure maintenance of registers?
- 24 Does the register cover all departments and staff groups?
- 25 Where a conflict of interest is declared, does the employees contract provide for them to be removed from any direct or indirect involvement in purchasing, contracting or related decisions?
- 26 Does the Authority specifically forbid employees, in their contract of employment, to set up or accept employment with a private business engaged in work, which is in direct competition with the authority be impeding its operation?
- 27 Are guidelines prescribed for the acceptance of outside employment with a third party whilst staff are still employed with the Authority?
- 28 Are there any rules to prevent employees from seeking or receiving preferential rates by virtue of their dealings on behalf of the Council?
- 29 Are there guidelines, where an employee has abused their official position for private gain or for the benefit of family or friends?
- 30 Are monies received by staff for services in relation to the work of the Council required it be paid over to the Authority such as interviews or presentations and seminars?
- 31 Are there any procedures in place to identify and prevent pressure being exercised to influence purchasing or planning or contracting decisions?

### **Section B.2 Officers Interests Survey**

- 32 Has a declaration of interests been signed by:
  - (a) All Chief Officers?
  - (b) Chief Executive?
  - (c) Director of Finance/Corporate Officer with S151 Duties
  - (d) Director of Education?
  - (e) Director of Social Services?
  - (f) Director of Housing?
  - (g) Director of Planning?

- (h) Director of Legal Services?
- (i) Director of Technical Services?

### **Section C.1 Gifts & Hospitality - Members**

- 33 Are there rules governing the offering and acceptance of gifts or hospitality?
- 34 Is there a maximum value that can be accepted? (If yes please give value)  
  
(A member must within 28 days of receiving any gift or hospitality over the value of £25, provide written notification to the authority's monitoring officer of the existence and nature of that gift or hospitality)
- 35 Has the Council defined what gifts & hospitality are acceptable and what are not?
- 36 Do the rules provide for any gift not specified in the list to be referred to a Chief Officer?
- 37 Is there a register of gifts and hospitality?
- 38 Must all offers and acceptance be registered?
- 39 Is there a de-minimus amount, which need not be registered? (if yes please give value)
- 40 Does the register include the following details:
  - (a) Name of sponsors?
  - (b) Offer of sponsorship/gift/hospitality?
  - (c) Name of member?
  - (d) Details of any "work" the sponsor is interest in securing?
  - (e) Value of the gift/hospitality?
  - (f) Details of where the offer was accepted?
- 41 Is the register reviewed by a senior officer?
- 42 Are there rules in place governing the participation by members in quasi-official events?

### **Section C.2 Gifts and Hospitality - Members:**

- 43 Did the following member receive any gifts & hospitality during 2001/02:
  - (a) Leader or equivalent?
  - (b) Deputy Leader or equivalent?

- (c) Chair of Finance or equivalent?
- (d) Chair of P&R or equivalent?
- (e) Chair of Education or equivalent?
- (f)** Chair of Social Services or equivalent?
- (g) Chair of Housing or equivalent?
- (h) Chair of Planning or equivalent?
- (i) Chair of Leisure or equivalent?
- (j) Chair of Technical Services or equivalent?

**Section D.1 Gifts and Hospitality - Officers**

- 44 Are there rules governing the acceptance of gifts or hospitality?
- 45 Is there a maximum value that can be accepted? (If yes please give value)
- 46 Has the Council defined what gifts and hospitality are acceptable and what are not?
- 47 Do the rules provide for any gift not specified in the list to be referred to a Chief Officer?
- 48 Is there a register of gifts and hospitality?
- 49 Must all offers and acceptance be registered?
- 50 Is there a de-minimus amount, which need not be registered? (If yes please give value)
- 51 Is there a register(s) covering all departments?
- 52 Does the register cover all staff groups?
- 53 Is the register reviewed by a senior officer?
- 54 Does the register include the following details:
  - (a) Name of donor?
  - (b) Name of employee?
  - (c) Details of any "work" the donor is interested in securing?
  - (d) Value of the gift/hospitality?
  - (e) Brief description of the gift/hospitality?
  - (f)** Details of whether the offer was accepted?

- 55 Are there rules in place governing the participation by officers in quasi-official or social events?
- 56 Is a record maintained of ALL commercial sponsorship maintained?
- (a) Does it include:
  - (b) Name of sponsor?
  - (c) Offer of sponsorship?
  - (d) Whether accepted?
  - (e) Accepting Officer?
- 57 Does the Authority require that acceptance of commercial sponsorship is approved by a senior officer?