

Declarations of interests by employees

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1 Scope

- 1.1 All staff, the Commissioner and members of the Audit Committee have an ongoing duty to inform the LFC of 'interests' which fall under this policy and it is recommended that they periodically consider this policy to ensure the information provided remains correct and up to date.
- 1.2 Furthermore, all staff, the Commissioner and members of the Audit Committee are required to consider whether, when making decisions for the LFC they have an 'interest' that could be regarded as influencing that decision, or one which may be regarded as conflicting with the interest of the LFC, such that they ought to advise their manager accordingly and recuse themselves from that decision.
- 1.3 This policy applies to all employees of the London Fire Commissioner, the London Fire Commissioner, members of the Audit Committee, consultants, agency staff and volunteers engaged in providing services to the LFC and operating in a way that would otherwise be consistent with being an LFC employee and references to "employee" and "employees" shall be interpreted to include them.
- 1.4 Heads of services and above, including the Commissioner and Audit Committee members, are required to complete the form at Appendix 1 and keep it up to date as and when a change occurs. Staff below head of service level are not required in most cases to complete the form at Appendix 1, but they must consider whether they have a 'financial interest' or 'non-financial interest' as set out in the form and if they believe that they have an interest as set out in the form at Appendix 1, complete the relevant sections of Appendix 1 and submit it to their head of service and General Counsel.
- 1.5 When completing the form(s) you do not need to identify or name the person with the interest if it is not yourself.
- 1.6 An obligation to declare a financial interest of the employee's husband, wife, partner (civil or otherwise) or any other individual with whom the employee has a proximate relationship of a similar nature only arises if that financial interest is known to the employee.
- 1.7 Appendix 1 is a standard form used by the GLA, this policy imposes a higher standard of disclosure on senior staff (and members) across the GLA than is required of less senior staff in the LFC, and the publication of those interests. This is because the public nature of their role and the potential impact their decisions may have on members of the public and Greater London warrants a more comprehensive approach to declarations.

2 Aims of the policy

- 2.1 To ensure that employees of the LFC are aware of their responsibilities in relation to the declaration of financial and non-financial interests.
- 2.2 To ensure that the private financial and non-financial interests of employees or their close associates do not impair their ability to act in the best interests of the LFC.
- 2.3 To ensure that the LFC acts properly, fairly, impartially and without unfair or unlawful discrimination in all its dealings and is seen to be doing so.
- 2.4 To ensure that the reputations of the LFC and its employees are protected.
- 2.5 To ensure that the highest standards of public service are maintained.
- 2.6 To ensure that public funds are used in a responsible and lawful way and the community receives the best value for money.

- 2.7 To provide transparency and accountability in respect of senior officers who are more likely to take significant decisions affecting the Brigade and the London Community.

3 Definitions

- 3.1 A "head of service" refers to an individual at head of service or assistant commissioner level within the LFC.
- 3.2 A "financial interest" means those interests listed in boxes 1-9 in the attached form at Appendix 1.
- 3.3 A "non-financial interest" means an interest listed in box 10 in the attached form at Appendix 1.
- 3.4 The interests of the employee which is a non-financial interest is intended to include matters in the declaration form box 10 at Appendix 1 but also any interest that a member of the public, with knowledge of the relevant facts, would reasonably regard that it would materially impact upon the employee's judgement of the best interest of the LFC in carrying out his or her responsibilities as an employee. For the purposes of non-exhaustive clarification, a non-financial interest may arise from family or personal relationships, membership of clubs, societies and other organisations or involvement in sporting, social, community or cultural activities and would include any tendency toward favour or prejudice resulting from friendship, loyalty, animosity, partisan beliefs or views or other personal involvement that could bias the employee's judgement or decisions. Examples would include: -
- (a) Involvement in the appointment, promotion, supervision or appraisal of a person with whom the employee has a close personal friendship/relationship.
 - (b) Involvement in a close personal friendship/relationship with someone whom the employee manages or who manages the employee.
 - (c) Involvement in an investigation of someone with whom the employee has a close personal friendship/relationship.
 - (d) Involvement in the monitoring or evaluation of the performance of a contractor where the employee has a close personal friendship/relationship with the contractor or with someone who holds a directorship or partnership in or is employed by the contractor.
- 3.5 For the Commissioner and members of the Audit Committee references to a 'line manager' in this policy are to be treated as references to the director of corporate services, in consultation with General Counsel. The director will administer this policy in the absence of a line manager and provide written proposals, in line with the principles of this policy, to the Commissioner for any decisions required under this policy to be taken in relation to declarations made by the Commissioner or members of the Audit Committee.

4 Declaration of interests

- 4.1 If you are in doubt as to whether there is a financial interest or a non-financial interest, it is recommended that you err on the side of caution and make the declaration.
- 4.2 Any declaration of a financial interest or a non-financial interest will at the earliest opportunity be recorded in the Central Register of Interests maintained by your head of service/director and General Counsel.
- 4.3 Heads of service and above, and members of the Audit Committee must at the earliest opportunity forward to General Counsel all declarations made in accordance with this policy for entry in the Central Register of Interests.

- 4.4 Where an employee considers and their head of service agrees that the nature of a declarable financial interest or non-financial interest is such that disclosure of the details of the interest could lead to a breach of the Official Secrets Act 1989, a risk to national security or a risk to the personal security of the employee or a person connected with the employee including, but not limited to, intimidation or violence, it shall be treated as a "sensitive interest" and the details of the sensitive interest shall not be recorded in the Central Register of Interests but kept in a confidential register maintained by the head of service/director and General Counsel that may only be viewed by the head of service/director and General Counsel or other officer authorised in writing by the head of service/director or General Counsel on a strict "need to know" basis. If the details of the interest themselves cannot be disclosed (e.g. because they would breach the Official Secrets Act) the fact of the interest shall be disclosed in the confidential register. Any issues requiring clarification or determination under this paragraph shall be referred to the LFC's General Counsel for determination.
- 4.5 Where an entry in the Central Register of Interests is in respect of the interest(s) of head of service or above and the Audit Committee then the names, departments, sections and job title of those who have made entries on the register along with the declarations made in Appendix 1 shall be available for inspection by members of the public by publication on the LFC website. Additional information held by the LFC shall only be disclosed in accordance with data protection law.

5 Restrictions/conditions in respect of financial interests and non-financial interests

- 5.1 Save for operational firefighting and/or rescue duties (including the handling of 999 and other emergency calls and subsequent mobilising of appliances, staff and equipment to incidents), an employee shall not undertake any activity on behalf of the LFC in respect of a matter where the employee has a financial or non-financial interest (as defined in Appendix 1 and paragraph 3.4) unless, exceptionally, written permission is given to the employee to undertake such activity by his or her head of service/director (Appendix 2). Prior to the grant of written permission, the head of service/director shall consult and have due regard to the advice of General Counsel. The written permission given by the head of service/director must also set out any conditions that apply to the arrangements, how the ongoing activity in relation to the employee's interest is to be monitored and when the position is to be next formally reviewed.
- 5.2 In any circumstance where the employee does not become aware that there is a financial interest or non-financial interest in a matter involving the LFC until that matter is already being progressed by the LFC, the employee must immediately give notice in accordance with this policy and cease any activity being carried out on behalf of the LFC (unless given permission to continue pursuant to paragraph 5.1).
- 5.3 In the event that an employee has a financial interest (as defined in Appendix 1), the employee's head of service/director will take a decision as to whether the financial interest must be terminated (Appendix 3). This requirement does not apply where the employee's financial interest arises by virtue of land, licence or tenancy interests which relates to their normal place of domestic residence or that of the employee's husband, wife, partner (civil or otherwise) or any other individual with whom the employee has a proximate relationship of a similar nature.
- 5.4 The employee's head of service/director shall respond in writing to that request as soon as reasonably practicable in any event but shall communicate their decision in writing no later than 28 days from the date of receipt. In so doing, the head of service/director shall have full and due regard to the employee's written request and any representations made by the employee. The

head of service/director shall act reasonably in considering the employee's request and will take advice from General Counsel.

- 5.5 In making a decision as to whether the employee must terminate the financial interest, the head of service/Director shall consider:
- (a) the significance and/or proximity of the financial interest and the individual making the request to the matter involving the LFC;
 - (b) the potential impact upon the reputation of the LFC and/or its employees and/or the individual making the request;
 - (c) the feasibility of the individual retaining the interest without it affecting their responsibilities to the LFC or reasonable perceptions that it could affect those responsibilities;
 - (d) the practicality, reasonableness and/or onerousness of a requirement to terminate the interest;
 - (e) any reasonable and appropriate steps that could be taken by the LFC to transfer that matter/ decision to another officer.
- 5.6 When communicating their decision in writing to the employee in accordance with paragraph 5.4, the head of service/director shall confirm that they have taken into account all of the required considerations set out in paragraph 5.5 (a) to (e) inclusive.
- 5.7 The employee shall (insofar as they are able to do so) comply with the decision of the head of service/director as soon as reasonably practicable. Failure to do so, may render the employee liable to disciplinary action and may also give rise to criminal liability both at common law and under statute.
- 5.8 For the purposes of paragraphs 5.1 to 5.7 of this policy; for heads of service and above decisions are to be taken by their line manager in consultation with General Counsel. For the Commissioner and members of the Audit Committee advice is to be given by the director of corporate services in consultation with general counsel to the commissioner who will take the final decision.
- 5.9 An employee must not use the name, uniform or equipment of, or information held by the LFC or the London Fire Brigade for any purpose associated with a financial interest.

6 Disciplinary action

- 6.1 If an employee is found to be in breach of the terms of this policy, they may face disciplinary action. Breaching any of the conditions will be regarded as a serious breach of discipline and in certain circumstances could lead to dismissal for a first offence.
- 6.2 It is the duty of all managers to make their staff aware of this policy and to bring to the notice of the head of service/assistant commissioner, as a disciplinary matter, any reasonably suspected breach of this policy.

7 Anti-bribery statement

- 7.1 The LFC prohibits any employee or associated person acting for, or on behalf of, the LFC from offering, promising, giving, soliciting or accepting any bribe. A bribe may be cash, a gift or other inducement to, or from, any person or company, whether public or government, official of a state-controlled industry, political party or a private person or company. A bribe might be made to ensure that a person or company improperly performs duties or functions (for example, by not acting impartially or in good faith or in accordance with their position of trust) to gain any

commercial, contractual or regulatory advantage for the LFC or to gain any personal advantage, financial or otherwise, for the individual or anyone connected with the individual.

- 7.2 This prohibition also applies to indirect contributions, payments or gifts made in any manner as an inducement or reward for improper performance, for example through consultants, contractors or sub-contractors, or other third parties.
- 7.3 Bribery will normally constitute an act of gross misconduct, is a criminal matter for the individual concerned and may also result in bringing the LFC into disrepute.

8 Review procedure

- 8.1 An employee has the right to appeal against any decision made under this policy through the standard LFC grievance procedure.

Appendix 1 - Employee declaration of interests form

Name.....

Rank/post.....

.....

Station/office location.....

Signed.....

.....

Date.....

To Head of Service/Director.....

.....

Date of receipt.....

Signed.....

I have read and understood the LFC's policy on declarations of interest by employees and the associated guidance note.

This declaration also acts as a request for a decision by my head of service/director as to whether any declared financial interest must be terminated.

I make the following declaration of interest(s):

London Fire Commissioner

Register of Interests - Notification of Disclosable Interests

Section A

I, (full name)

in respect of the following Relevant Body or Bodies:

(name of relevant GLA Group bodies)

London Fire Commissioner (LFC)

GIVE NOTICE that I have the following Disclosable Interests

[**Note:** Please state "None" where appropriate rather than leaving boxes blank.]

IMPORTANT GUIDANCE NOTE ;The information sought in **bold** is for the purpose of the LFC as your employer and will only be seen by your head of service/director and General Counsel (save for anyone else on a need to know basis), the information **that will be published** is in the terms you describe it under the notes in **grey**, which in some cases is less specific. If you consider that ANY publication of the information under those notes could, if disclosed or published, lead to you or a person connected to you being subject to violence or intimidation or is otherwise sensitive, please contact General Counsel.

The obligation is to disclose those interests below that you are aware of.

Section B

Employment

Details of any employment, office, trade, profession or vocation carried on for profit or gain by me or my partner¹(where you are aware your partner has the interest).

[Note: You do not need to include your membership of /employment by the Relevant Body (LFC) specified at section A]

In relation to any employment, office, trade, profession or vocation carried out by you or your partner, the details should include the nature and title of the role, and name of any organisation for which the role is performed / which pays you or your partner for performing the role.

You need only declare the interest, not the nature of the relationship; for example, if your partner holds a senior position with a London housing association, you would record the name of that housing body; the possible conflict being for example how the RRO is applied in those properties.

For the purposes of the public register you should declare here the nature of the body that YOU have an interest in. Where the information concerns others it should be expressed in more broad terms e.g. educational establishment in the Greater London area.

Contracts with Relevant Bodies

[Note: In sections 2(a) to 2(e) below the following details need to be entered for each category:

- the names of the parties to the contracts – so the relevant authority, and either (i) your or your partner's or close family member's name, or (ii) the name of the firm or body corporate (of which you or your partner or close family member is a director, including details of the directorship, or in the securities of which you or your partner or close family member has a beneficial interest including;
- the date on which the contract was entered into, and the duration of the contract;
- a brief description of the contract: the goods or services to be provided or works to be executed.

In addition, for each section – 2(a) to (e) you are asked to include details where it is proposed that that company or body enters into a contract with the Relevant Body (LFC) within the following 28 days.

¹ "Partner" means your spouse, civil partner, or a person with whom you live as if you were a married couple or civil partners. This definition applies throughout this form.

- 2(a). Details of any contract which is made between a Relevant Body (LFC) and EITHER (i) myself (or my partner) OR (ii) a member of my close family under which (a) goods or services are to be provided or works are to be executed and (b) where that contract has not been fully discharged.

Give details of an interest of this type; i.e. where the contract is directly with you, your partner or close family member. You need only declare the interest (name of the contract and company), not the nature of the relationship.

All the information given above which relates to YOU will be published; those relating to others should be expressed in more broad terms e.g. contract relating to the supply of equipment. please specify

- 2(b). Details of any contract which is made between a Relevant Body (LFC) and a firm in which EITHER (i) I am (or my partner is) * a **partner** OR (ii) a member of my close family is a **partner** under which (a) goods or services are to be provided or works are to be executed and (b) which has not been fully discharged.

Give details of an interest of this type; i.e. where the contract is with a firm where you, your partner or close family member is a partner of that firm. You need only declare the interest (name of the contract and company), not the nature of the relationship.

All the information given above which relates to YOU will be published, those relating to others should be expressed in more broad terms e.g. contract relating to the supply of equipment; please specify

- 2(c). Details of any contract which is made between a Relevant Body (LFC) and a body corporate of which EITHER (i) I am (or my partner is) a **director**² OR (ii) a member of my close family is a director under which (a) goods or services are to be provided or works are to be executed and (b) which has not been fully discharged.

Give details of an interest of this type; i.e. where the contract is with a firm where you, your partner or close family member is a director of that firm. You need only declare the interest (name of the contract and company), not the nature of the relationship.

All the information given above which relates to YOU will be published, those relating to others should be expressed in more broad terms e.g. contract relating to the supply of equipment; please specify

- 2(d). Details of any contract which is made between a Relevant Body (LFC) and a firm or a body corporate in the **securities**³ of which EITHER I have (or my partner has) a beneficial interest OR (ii) a member of my close family has a beneficial interest under which (a) goods or services are to be provided or works are to be executed and (b) which has not been fully discharged.

Give details of an interest of this type; i.e. where the contract is with a firm where you, your partner or close family member is has a beneficial interest in that firm. You need only declare the interest (name of the contract and company), not the nature of the relationship at this time.

All the information given above which relates to YOU will be published, those relating to others should be expressed in more broad terms e.g. contract relating to the supply of equipment. please specify;

² Director includes a member of the committee of management of an industrial and provident society

³ "Securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

- 2(e). Details of any contract which is made between a Relevant Body (LFC) and a firm in which EITHER (i) I am (or my partner is) an employee OR (ii) a member of my close family is an employee under which (a) goods or services are to be provided or works are to be executed and (b) which has not been fully discharged.

Give details of an interest of this type; i.e. where the contract is with a firm where you, your partner or close family member is an employee of that firm. You need only declare the interest (name of the contract and company), not the nature of the relationship at this time.

All the information given above which relates to YOU will be published, those relating to others should be expressed in more broad terms e.g. contract relating to the supply of equipment.; please specify

Land: freeholds, leaseholds and tenancies

3. Details of any beneficial interest that I have, or my partner has in land within Greater London that entitles me or my partner to occupy (alone or jointly with another) that land, or to receive income from it.

[Note: by way of guidance, this includes where:

- you or your partner own(s), or own(s) a percentage of the freehold or long-term leasehold of a property (whether or not subject to a mortgage),
- you or your partner lease(s) land or property, on shorthold tenancies (for example, an assured shorthold tenancy), or
- land or property is owned by a trust in which you have, or your partner has an interest.

The following details should to be entered here: what the interest is, the full address and postcode of the land and the London borough in which it is situated.

It is only necessary to give details of the London Borough where the property is located for an interest of this type and state whether the functions of the LFC are relevant to that interest e.g. HMO

Only the fact land is held in a London Borough will be published; please provide the Borough

Licences of land

4. Details of any licence that entitles me or my partner (alone or jointly with others) to occupy land within Greater London for a month or longer.

[Note: Details of the nature and length of the licence should be entered in this section, along with the full address and postcode of the land, and the London borough in which it is situated]

It is only necessary to give details of the London Borough where the property is located for an interest of this type, and state whether such interest may engage LFC statutory functions

Only the fact land is held in a London Borough will be published; please provide the Borough

Corporate tenancies where a Relevant Body is the landlord

5. Details of any tenancy where, to my knowledge, (a) a Relevant Body (LFC) is the landlord; and (b) the tenant is (i) a firm in which I am (or my partner is) a partner, (ii) a body corporate of which I am (or my partner is) a **director**, or (iii) a firm or a body corporate in the **securities** of which I have (or my partner has) a beneficial interest.

[Note: Details of the nature of and parties to the tenancy should be entered in this section, along with the full address of the property that is subject to the tenancy, its postcode and the London borough in which it is situated and details of any relevant company directorship.]

Please give details of the tenancy

Only the fact land is held in a London Borough will be published; please provide the Borough

Securities

6. Details of beneficial interest that I have or my partner has in the securities of a body where (a) that body (to my knowledge) has a place of business or land in Greater London and (b) EITHER (i) the total nominal value of the securities that I or my partner has exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which I or my partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

[Note: Details of the nature of the interest that you have or your partner has should be entered in this section, along with the name and full address of the body in whose securities that interest is held and details of any directorship etc on that body.]

You should disclose the name of the company/body

For the purposes of publication only the nature of that business which is YOURS will be included

Other Interests

7. Names and positions in non-profit making organisations with which a Relevant Body (LFC) has dealings where I am, or my partner is a trustee or participate(s) in management of that body and where not disclosed elsewhere in this form.

Name of the body and position held

For the purposes of the public register only YOUR interest will be published in full, those relating to others should be expressed in more broad terms e.g. youth organisation; please provide;

8. Any other office or position which I hold (including companies, trade associations and industry forums) and where not already disclosed elsewhere in this form.

Name of the body and position held

For the purposes of the public register this information will be published

9. Any other directorships of companies which I hold, whether paid or not, and where not already disclosed elsewhere on this form.

You should declare here the name of that business

For the purposes of the public register this information will be published

10. Any other Interest which I or my Partner holds which might reasonably be likely to be perceived as affecting my conduct or influencing my actions in relation to my role on the Relevant Body (LFC), where not already disclosed elsewhere on this form.

Give details of an interest of this type. You need only declare the interest (name/location)

For the purpose of the public register please provide the nature of that interest where it concerns YOU, those relating to partners should be expressed more generally. However, where these interests are interests related your personal as opposed to your professional or business life, they will not be published

Declaration

I confirm that the information given above is a true and accurate record of my relevant interests, given in good faith and to the best of my knowledge and I agree to update this form within 28 days of any changes to these declared interests.

Date:	Signed:
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Sensitive Pecuniary Interests

To: Monitoring officer

From: [Name]

I consider that the following Disclosable Pecuniary Interest/s is/are sensitive and should not be published.

NOTE - If a registered sensitive interest ceases to be sensitive you must add this information to the published form above within 28 days of becoming aware of this.

Disclosable Pecuniary Interest (specify relevant section of the form)	Details of interest (Insert the same details about the interest that are required to be declared in Section B above)	Reason why the interest is considered sensitive (i.e. why you consider that disclosure of details of the interest could lead to you or a person connected with you to being subjected to violence or intimidation).

Signed:

Date:

Name:

Monitoring officer decision

Yes, I agree/ No I disagree [Delete as appropriate] that disclosure of the details of the interest(s) identified in this form above could lead to the signatory, or a person connected with the signatory, being subjected to violence or intimidation, or is otherwise sensitive and that the interest(s) should therefore be treated (as applicable) as "sensitive interests"

The reason for my decision is

.....

.....

To return a copy to the submitter of the form.

If the monitoring officer agrees, to be filed on Sensitive Interests file. If the monitoring officer does not agree to file in the publicly available register.

Appendix 2 - Decision of head of service in relation to the employee undertaking activity on behalf of the LFC in a matter where the employee has declared an interest

Head of service:

Employee:

Nature of Interest: Financial/Non-financial

Details of Interest:

LFC matter:

General Counsel consulted: Yes/No

GC advice:

.....

Head of service decision:

Permission granted: Yes/No

On the following grounds:

.....

Conditions applicable:

.....

Monitoring arrangements:

.....

Permission refused: Yes/No

On the following grounds:

.....

Appendix 3 - Decision of head of service in relation to the employee's written request as to whether a declared financial interest must be terminated

Head of service:

Employee:

Date written request received:

Details of Interest:

Has the employee made representations?: Yes/No

Have any such representations been taken into account: Yes/No

General Counsel consulted: Yes/No

GC advice:

Have the following matters been taken into account?: Yes/No

- (a) the significance and/or proximity of the financial interest and the individual making the request to the matter involving the LFC;
- (b) the potential impact upon the reputation of the LFC and/or its employees and/or the individual making the request;
- (c) the feasibility of the individual retaining the interest without it affecting their responsibilities to the LFC or reasonable perceptions that it could affect those responsibilities;
- (d) the practicality, reasonableness and/or onerousness of a requirement to terminate the interest.

Permission granted: Yes/No

On the following grounds:

.....
.....

Permission refused: Yes/No

On the following grounds:

.....
.....

Document history

Assessments

An equality, sustainability or health, safety and welfare impact assessment and/or a risk assessment was last completed on:

EIA	30/06/2016	SDIA	L -30/06/2016	HSWIA	07/07/2021	RA	
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Audit trail

Listed below is a brief audit trail, detailing amendments made to this policy/procedure.

Page/para nos.	Brief description of change	Date
Page 12	Appendices 2 and 3 added.	08/11/2016
Throughout	This policy has been reviewed as current with extensive changes made throughout.	23/06/2021

Subject list

You can find this policy under the following subjects.

Financial	Non-financial
Anti-bribery	

Freedom of Information Act exemptions

This policy/procedure has been securely marked due to:

Considered by: (responsible work team)	FOIA exemption	Security marking classification