Chapter 18: Conduct, Conflicts of Interest, Personal Interests and Business Appointment Rules

1. About this Chapter

1.1 This chapter outlines the conduct and behaviour expected of everyone employed by the House. The guidelines will help you:

- avoid difficult situations
- identify potential conflicts of interest
- know what you can expect from your colleagues and what they will expect from you
- understand some of the actions which can lead to disciplinary procedures. (The disciplinary procedures themselves are set out in chapter 20).

1.2 None of the restrictions referred to below applies to the activities of representatives of Trade Unions recognised by the House and other members of such unions in performing legitimate Trade Union functions. You should, however, bear in mind the need to make it clear, when appropriate, that you are speaking/acting as a Trade Union Representative rather than as a member of staff.

1.3 If you are unsure of how any part of this section applies to you or your job, or what to do in a particular situation, talk to your Line Manager.

2. Introduction

2.1 The House relies on the mutual trust and trustworthiness of those working within it. House of Commons staff must be, and must be seen to be, honest and impartial in the exercise of their duties. They must not allow their judgement or integrity to be compromised or seen to be compromised.

2.2 The Behaviour Code articulates a shared set of behavioural expectations – the Parliamentary Community is protected by it and bound by it.

Behaviour Code

2.3 You are expected to observe the following principles while working at the House of Commons:

- be impartial
- safeguard official information
- work with your Line Manager and comply with reasonable instructions

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• uphold the reputation of the House
• be honest and do not use your job for private advantage.

3. Honesty and Avoidance of Conflict of Interest

Definition

3.1 A conflict of interest is a situation that has the potential to undermine your impartiality as an employee of the House of Commons Service, due to a clash between your professional interest or the public interest, and your own self-interest. Such conflicts pose a significant risk to the House and could also leave you vulnerable to allegations of impropriety.

Examples

3.2 Situations which could represent conflicts of interest include:

• lobbying Members of Parliament on matters related to your area of work
• using your position as an employee of the House to lobby Members of Parliament for private purposes
• instances where your work activities could be used for private purposes or gain, such as using information obtained at work to invest in particular companies
• acceptance of gifts and hospitality which might reasonably be seen as designed to influence you in the performance of your duties; for details of restrictions and registration of offers, see section 7 below
• Buying goods or services in an official capacity from a company with which you have personal, family or financial interests or connections.
• involvement in any procurement process with suppliers, contractors or clients with whom you have personal, family or financial interests or connections
• a personal or family relationship with colleagues where there is a potential to collude or to grant favours, for example if you authorise transactions for, line manage or report to someone with whom you have such a relationship
• influencing or deciding upon the appointment, employment terms or conditions of anyone with whom you have a personal or family relationship.

Action required

3.3 It is your responsibility to be aware of, and to take steps to avoid, potential conflicts of interest. Even if you think that there is not a conflict, you will need to consider whether others may perceive one. You must declare any relevant interests, connections and relationships to your manager, and submit a Registration of Interests’ form, if required, to the Governance Office. You are not required to register matters which are clearly trivial but if you are in any doubt, you are advised to do so.

3.4 You might be affected if you are in one of the following groups:

• Senior staff (SCS and Band A staff, including fast streamers): you must register any interests you may have.
• Staff in roles where there are higher specific risks relating to conflicts of interest: you must register any interests you may have.
• Other staff: you do not have to register all your interests (for example, school governor) but still have to declare any potential conflict to your line manager and submit a form to the Governance Office, when necessary.
• Contract managers register any interests as part of the procurement process. PPCS holds a Register of Interests and manages potential conflicts. PPCS also gathers the necessary assurances from contractors.

3.5 The Register of Interests will be updated annually. You are also expected to update the Register within 28 days of a change of circumstances.

3.6 More information can be found on the Intranet: Registration of staff interests – Guidance and frequently asked questions. (PDF 694 KB)

3.7 You may face disciplinary action if you put the House at risk by wilfully or deliberately failing to disclose relevant information.

Further advice and support

3.8 HR Advice Services offers general advice and support regarding potential conflicts of interest.

3.9 The Parliamentary Procurement and Commercial Service (PPCS) offers guidance and assistance to all staff of the House involved in procurement, including the extent of any involvement in the drafting of tenders or evaluation of competitive tenders where there is likely to be a conflict of interest.

3.10 You will find the rules on prevention of theft, fraud and malpractice on the following link:

Prevention of Theft, Fraud and Malpractice

3.11 You will find the Anti-Bribery Policy on the following link:

Anti-Bribery Policy (PDF 121 KB)

4. Business Interests and Outside Appointments

4.1 You must consult your Line Manager before accepting extra work in another area, and before taking on any additional outside work or any position (paid or unpaid). You may need to register this on the Registration of Interests’ form.

4.2 SCS staff and those in band A involved in procurement and purchasing must become familiar with and follow the rules on the acceptance of outside appointments. The aim of the rules is to avoid:
• any suspicion that the knowledge and decisions of a House employee might be influenced by the expectation of future employment in a particular organisation
• The risk that an organisation might gain an improper advantage over its competitors by employing someone who, in their official duties, has access to technical or other information which competitors might regard as useful.

**Appointments within two years of leaving House of Commons employment**

4.3 Staff at SCS level should not continue with, or take up any form of full-time, part-time or fee-paid employment either during their employment with, or within two years of leaving, the House of Commons Service, without first seeking permission from the Clerk of the House.

4.4 Staff below SCS must obtain prior approval from their Managing Director or Head of Office before taking any form of full-time or part-time employment or consultancy based employment while employed by or within two years of leaving the employment of the House:

• if they have had any official dealings with their prospective employer during their employment at the House
• if they have had access to commercially sensitive information of the competitors of their prospective employer in the course of their official duties during the last two years before leaving the employment of the House
• if during the last two years before leaving the employment of the House, their official duties involved giving advice or making decisions benefiting their prospective employer, for which the offer of employment could be seen as reward.

4.5 Approval is required for both an initial appointment, and also for any further appointment(s) within two years of leaving the House employment.

4.6 Staff on secondment from the House who take up permanent employment with the seconding employer at the end of the secondment are subject to the rules above.

4.7 Applications can be granted with unconditional approval or approved subject to conditions. Approval with conditions can apply for up to two years depending upon the circumstances of the case and may include the following:

• a waiting period effective from the final date in House employment
• an absolute or qualified ban on the involvement of the applicant in dealings between the prospective employer and a named competitor of that employer
• a ban on the involvement by the applicant in dealings between the prospective employer and a named competitor(s) of that employer
• in the case of consultancies, a requirement to seek approval before accepting commissions of a particular nature or from named employers.

4.8 In cases in which it is proposed to impose a waiting period or other condition the applicant is entitled to have a meeting with the decision maker to discuss this further.
5. Political Impartiality

5.1 The core tasks of the House of Commons Service include supporting the House and its committees and supporting individual Members (and their staff). Members are entitled to expect that these services are provided with complete political impartiality and that briefing, and advice are not influenced by the personal political opinions of individual members of staff.

5.2 Staff who advise Members must be, and appear to be, impartial. When the impartiality of such staff is compromised, not only may their ability to do their job be impaired, but the reputation of the House of Commons Service may also suffer.

5.3 Impartiality is a fundamental requirement for the following staff:

- members of the Senior Commons Structure and staff in band A, including members of the Fast Stream Graduate Entrants Programme
- staff who are in regular direct contact with Members in support of the business of the House and its committees
- staff who provide information, briefing or advice to Members on subjects of political significance.

5.4 Staff in these categories will not generally be given permission to take part in any political activity. Managers will, however, assess any applications from staff in these groups against the criteria listed above. Where staff can demonstrate that their ability to give impartial service will not be compromised, permission may be granted.

5.5 Impartiality is not as important a requirement for other staff. Catering staff, craft staff, Vote Office porters and cleaners may take part in political activities without restriction. If you work in any other area you may be subject to restrictions if you seek to take part in any political activity. You must obtain the permission of your Line Manager before engaging in such activity.

5.6 In addition, you must obtain the permission of your Line Manager if you wish to take part in any activity in which, irrespective of your intention, it is likely that you will be brought prominently to public notice in a matter of political controversy.

5.7 Political activity includes, but is not restricted to:

At national level:

- holding office in a party political organisation
- speaking in public, or via social networking sites, on matters of national political controversy
- expressing views on political matters in letters to the press, or in books, articles or leaflets, or by posting in an equivalent manner on social networking sites (for example via on-line discussion boards or blogs)
- being a candidate for Parliament (including the European Parliament)
• canvassing on behalf of a candidate for Parliament or a political party
• attending conferences or functions arranged by party political organisations
• being involved in a national referendum campaign

At local level:

• speaking in public, or via social networking sites, on matters of local political controversy
• expressing views on political matters in letters to the press, or in books, articles or leaflets, or by posting in an equivalent manner on social networking sites (for example via on-line discussion boards or blogs)
• being a candidate or canvassing on behalf of a candidate for election to a local authority

The use of social media in relation to the above points is covered in the Social Media Policy

5.8 If you apply for permission to engage in a political activity your Line Manager will consider:

• the extent to which your impartiality may be compromised by the activity, or by your participation in the activity being brought prominently to public notice
• the extent to which impartiality is a requirement of your post
• the possible impact on the House of Commons Service of your impartiality being compromised

5.9 If you are given permission to engage in a political activity you must not do so in circumstances where it could reasonably be assumed that you were acting as a representative of the House of Commons Service.

5.10 If your Line Manager refuses your request to engage in a political activity you will be given a full explanation of the reasons for the decision.

6. Criminal Offences and Conduct and Behaviour off Duty

6.1 Your conduct and behaviour off duty must not bring the House into disrepute. If in doubt talk to your Line Manager or your HR Adviser.

6.2 You must let your Line Manager, Countersigning Manager or Head of team know as soon as practicable if you receive a Police caution, reprimand, or final warning; are arrested and refused bail; are convicted by a court of any criminal offence(s). This does not apply to a traffic offence unless the penalty includes imprisonment or the requirement to drive is an integral part of your job. Failure to report an unspent criminal conviction may result in disciplinary action being taken against you. You must also let your Line Manager, Countersigning Manager or Head of team know of any other information you believe could potentially affect your security clearance. If you are in any doubt you should discuss with your Line Manager who will seek clarification.
6.3 Any information collected as a result of this process is held in compliance with the Data Protection Act 1998 and the Rehabilitation of Offenders Act 1974.

6.4 A criminal offence is not an automatic reason for dismissal. Each offence will be considered on its merits. An offence will normally be of concern if it:

- is relevant to your duties as an employee
- affects working relationships with your fellow employees or third parties
- is likely to affect the reputation of the House of Commons Service

6.5 Details of any unspent convictions will be identified by the House when conducting vetting for the purpose of issuing you with security clearance. Any information collected as a result of this process is held in compliance with the Data Protection Act 1998 and the Rehabilitation of Offenders Act 1974.

6.6 Failure to report an unspent criminal conviction may result in disciplinary action against you and possible dismissal.

7. Gifts, Hospitality and Anti-Bribery Policy

7.1 The House of Commons policy on Gifts and Hospitality may be found on the Intranet at:

Gifts and Hospitality Policy

7.2 This should be read in conjunction with the Anti-Bribery Policy (PDF 121 KB)

8. Publications, Speeches and Broadcasting

8.1 If you are asked to publish an article or book, to give a speech or broadcast on radio or appear on television on any subject in any way connected with your official duties, you must seek the permission of your Line Manager. Similarly, you need permission to take part in your official capacity in surveys or research projects, even anonymously, if they deal with attitudes or opinions on political matters or matters of Government or party policy.

8.2 Your Line Manager should always be consulted before any fee is accepted for speeches, articles or attendance at seminars in your capacity as an employee of the House of Commons Commission.

8.3 You should also read the rules covering use of social networking sites such as Facebook and Twitter in a work context which can be found in chapter 22.

8.4 Any engagement with the media for reasons unrelated to your work, for example taking part in a television programme or participating in an event which may be reported in the press, must not bring the House into disrepute.

House of Commons Information Office

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8.5 Staff working in the Public Information and Outreach team follow special rules, which are available from their Managers.

**National, local or branch representative of a recognised Trade Union**

8.6 If you are elected as national, departmental or branch representative or officer of a recognised Trade Union, or if you hold the Trade Union Side Administrator (TUSA) post, you may publicise union views on an official matter which directly affects the pay and conditions of service of members of the union as employees, without permission. In all other circumstances, however, you must follow the procedures above.

**9. Contact with the Media**

9.1 You must not talk to the media about your work, or about matters relating to it, without authority from your Managing Director or Head of Office. If you receive a call from a journalist, take details of the enquiry (name, publications, phone, email, and, briefly, what information they need) and pass it on to the Media Relations Group on ext. 7395.

9.2 Your Team (especially in relation to staff in the Committee Office) may have more detailed guidance on dealing with the media. Check with your Line Manager, the Media Relations Group, or with the Head of Media and Communications (CCT) ext. 1708.

**10. Official Property and Use of Official Equipment and Supplies**

10.1 You must take reasonable precautions to ensure the safekeeping of official property and equipment, for example, mobile phones, and laptops. The deliberate or negligent loss or damage of official equipment or property is a serious offence and may lead to disciplinary action. All losses should be reported to your Line Manager immediately. If you suspect theft, notify Security Control on ext. 3333 as soon as possible. Precautions you should take include:

- ensuring that desks, drawers, filing cabinets and cupboards are kept locked when not in use and that keys are not left in easily accessible places
- locking away all private and confidential papers and articles of value when you leave your desk for a significant period of time and in particular overnight
- ensuring that items such as memory sticks, CDs, laptops, mobile phones and other data storage devices are left in a safe and secure place at all times.

10.2 Remember that the safekeeping of your official papers and equipment is your personal responsibility. In the event of any information or equipment that contains data being lost or stolen you should report it to your Line Manager and complete an information and equipment form immediately. More information is on the Intranet at:

[Reporting loss or misuse of information or equipment](#)

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Official stationery

10.3 Official stationery should only be used for House of Commons business. Official paid envelopes and franking stamps must not be used for private correspondence. Use of official stationery other than for official purposes may result in disciplinary action.

Telephone calls

10.4 The House of Commons Service recognises that we all need to make the occasional personal telephone call. Please keep these to an absolute minimum. Making personal calls is a privilege, so take care not to abuse it. If you need to make a personal international call, you must do so through the switchboard and a charge will be made.

11. Private Property

11.1 You are responsible for looking after your private property. Personal property, particularly money, should not be left in vulnerable places such as on desktops, in unlocked drawers or in empty rooms.

11.2 If you lose or damage any personal property, report it immediately to your Line Manager, preferably in writing. If you suspect theft call Security Control on ext. 3333 as soon as possible.

12. Private Financial Affairs

12.1 You must not lend money to, or borrow money from, another member of staff as a matter of business.

12.2 If you become bankrupt or have serious financial difficulties you must report this to your Line Manager. If this could pose any risk in your current post, your Line Manager will discuss the matter with HR. Your Line Manager may also suggest you contact the Employee Assistance Programme (EAP).

12.3 The (EAP) can provide confidential advice on request with a view to assisting you to overcome any financial difficulties. It is however best to seek such advice before the situation becomes serious.

13. Staff Involved in Legal Proceedings Related to Official Duties

13.1 You should seek advice from the Office of Speaker's Counsel (OSC) on ext. 3877 as soon as you become aware that proceedings are to be taken against you in respect of the performance by you of your official duties.
13.2 Legal assistance and representation will be provided if you are sued for damages resulting from actions carried out in the course of your employment. However, the right to provision of legal assistance and representation will not apply if:

- it is considered that you acted outside the scope of your terms of employment
- you refuse to instruct your personal solicitor in terms approved by the OSC

13.3 You will not be normally be asked to pay for any loss or damage that results from actions carried out honestly and in good faith during the course of your employment, provided your actions are not deemed to be reckless. However, if it is proven that you have committed a disciplinary offence which has resulted in loss or damage you may be asked to pay for it.

14. Photography, Filming and Mobile Phones

Photography and filming

14.1 You must not record the image or the voice of any person without their express permission, anywhere within the Parliamentary Estate, unless you have obtained a permit to do so. Applications for a permit should be made to the Events Team, Black Rod’s Office, Director of Catering Services or the appropriate Managing Director or Head of Office, depending on the location concerned.

14.2 Anyone who attempts to market, publish or transmit such information obtained without a permit will be referred to the Serjeant at Arms or Black Rod and their future admission to the Houses of Parliament could be prejudiced.

14.3 Owing to the nature of the Parliamentary Estate and surrounding environment there is very often media recording equipment in use. You should, therefore, realise that your image or voice could be recorded while you are on or about the Parliamentary Estate and may be broadcast or used for other journalistic purposes. This is particularly the case in some locations, such as Central Lobby, Portcullis House Atrium and St Stephens’s entrance.

14.4 Regulations governing photography and filming within the precincts of the Parliamentary Estate can be found on the Intranet at:

Filming and Photography

Mobile Phones

14.5 It is a criminal offence to use a hand held mobile or similar device while driving. Mobile phones or similar devices issued by the House should be switched off so that messages can be left. Staff should not make or receive calls, pictures, text messages or access the Internet or blogging sites on a hand held mobile phone or similar device while driving. If you anticipate you will receive calls, you should use voice mail or call diversion and stop regularly, in a safe place, to check messages and return calls. Any fine which is imposed for
driving while using a hand held mobile phone or similar device will be your sole responsibility to pay.

14.6 If a member of staff commits a driving offence as a result of using a work issued mobile phone or similar device, they may be subject to disciplinary proceedings.

Glossary of abbreviations

PDF of the glossary of abbreviations

Register of Interests (staff)

All staff are required to register any conflicts of interest they may have

- Guidance and frequently asked questions (PDF 694 KB)
- Register of Interests form
- Register of Interests of senior House Officers
- Download Register of Interests form (PDF 558 KB)

For more information contact the Governance Office (x1707)