

February 2010

1.0. Purpose

The council has a duty to ensure that the provision of services is carried out in accordance with financial regulations, high standards of governance and a strict code of conduct. This is to protect the council's reputation and safeguard against allegations of fraud or nepotism.

Any non-routine enquiries or provision of service involving a councillor or their family members or a member of staff and their family members should be dealt with under this protocol to protect the council's economic and social interests. Typical non-routine enquiries or service provision could include:-

- a) Applications and allocation of Council housing and garages
- b) Rent arrears recovery action
- c) Provision of advice relating to homelessness or other housing issues
- d) Any issue of service delivery where discretion is exercised (eg outright priority moves)
- e) Provision of a grant or incentive payment (eg: DFG, incentive to move)

The protocol is not intended to cover routine service delivery for example- routine repairs, improvements undertaken based on stock condition data etc. It is important however that a common sense approach is taken and if in doubt advice should be sought from a line manager.

Family members shall include children (including step children), parents (including step parents), grand-parents' and siblings. It is intended that this should concern the nuclear family, but where there is a potential conflict of interest this procedure should be followed and can be used for the extended family members and/or personal friends.

Team members should also not deal directly with service provision to members of their own family and if at any time a potential conflict of interest could occur advice should be sought from a line manager.

2.0. Notification

The following procedure will be followed if the above circumstances are identified:-

- a) The Officer should complete the proforma attached and pass to their line manager within 24 hours

- b) The line manager will check the proforma and verify any actions taken
- c) The copy of this should then be shared with either the Head of service and the Deputy Director of Housing to determine if further action is required.
- d) If the enquiry concerns a senior elected member or a senior member of staff (manager or above) or a close relative of them or if it is deemed appropriate for any other reason the Deputy Director will notify the Chief Executive, Assistant Chief Executive and Monitoring Officer.

3.0. Managing the enquiry

The relevant manager will ensure that the enquiry is flagged appropriately on the relevant IT system (usually Orchard).

The relevant line manager will supervise the management of each case to its conclusion. In the case of an allocation this will be until the applicant has been signed up, in the case of arrears until a satisfactory conclusion has been reached.

The relevant manager will assess the likely impact of the decision and will record on the proforma whether any additional action is necessary, this could include

- No correspondence will be sent without prior approval by the Deputy Director and/or the council's monitoring / legal officer
- No allocation of property (including garages) to be made without prior approval by the Chief Executive or Deputy Chief Executive
- No allocation of property (including garages) to be made without prior notification to the monitoring officer

4.0. Dealing with Enquiries

In dealing with enquiries the following approach should be taken:

- Ensure that they are dealt with in the same manner as other applicants. For example if it is usual for applicants to be seen in an interview room then this is where discussions with the applicant should take place.
- If pressure is applied by the applicant to seek to use their position or any familiarity with the officer this should be notified immediately to the relevant manager.
- Officers dealing with such cases must ensure that discretion is applied and not discuss the applicants' personal circumstances with other interested parties unless this is in connection with appropriate processing of the application.

- All data protection and confidentiality regulations should be observed and discussions should not take place without the appropriate authority in place. Issues concerning governance should be addressed with the monitoring officer.

5.0. General Comments

In all cases a common sense approach should be applied to dealing with enquiries and the rights of the individual to access services are balanced against the need to ensure that proper overview is taken to avoid criticism of any individual or the organisation.

Although this protocol refers to housing management decisions relating to current elected members and staff it may be that other areas of work would be considered 'sensitive' and fall within the terms of the protocol. For example applications from former elected members, other politicians or public figures may require additional overview.

Staff members dealing with such applications are advised to err on the side of caution and if unsure about how to deal with an enquiry then advice should be sought from an appropriate manager.

If any doubt exists about whether a case falls within the scope of this protocol the Deputy Director should be notified.

Appendix A

Pro-forma

Officer completing form _____

Name _____

Address _____

Relationship to Staff Member / Councillor _____

Date of first enquiry _____

Nature of Enquiry

Action taken

- 1.
- 2.
- 3.
- 4.
- 5.

Complete by Housing Manager

Date Action Checked _____

Comments

Actions Agreed

Referred to Head of Operations	Yes/No	Date
Referred to Deputy Director	Yes/No	Date
CEO/DCE/MO informed	Yes/No	Date