



## Other Work Policy Reference Number: PKC002

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### Version Control

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### Revision History

Date	Section	Details of Revision
February 2023	Entire Policy	New policy format and updated list of authorised signatories.
August 2023	Application and Approval process	Application process via MyView employee portal, including National Fraud Initiative

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## Introduction

If you are employed by the Council, you may not engage in any other work (paid or unpaid) or receive reward from another employer, third party or business activity (which includes receiving income from the Council for renting properties to Council tenants) without **prior written approval**. This includes [Volunteers of the Emergency Services](#).

Prior written approval from an authorised Manager in your Service is required if you wish to:

- Carry out other work for any other person or third party or;
- Act on their behalf (paid or unpaid) or;
- Have any input into any application to obtain any statutory consent or grant funding from the Council, e.g. planning applications.
- Receive income from the Council for renting property to Council tenant(s)

## Consultation/Agreement process

This is a Council Policy which has been subject to consultation with the relevant Trades Unions. Any review or amendment by the Council will be following consultation with the Trades Unions.

## Application

Perth and Kinross Council aim to deliver fair work that offers all our employees an effective voice, opportunities, security, fulfilment and respect and that balances the rights and responsibilities of employers and workers. The development and implementation of our policies is fundamental to this.

This policy applies to all Perth and Kinross Council employees including Chief Officers, Single Status, Teachers and Craft Workers.

This includes circumstances where the nature of your other work means you would work, act or have any input on behalf of another person or third party in **any dealings** with the Council, subject to exemptions.

## Exemptions

- You may acquire Power of Attorney to act on behalf of another person, for example a close family member, providing you do not have any input into any decisions concerning access to Council services or funding for the individual, e.g. home care provision.
- Teachers are excluded from this policy when undertaking work involved with the Scottish Qualification Authority i.e. setter, examiner, marker. In all other circumstances the provisions of this policy applies to teachers.
- Where the nature of the other work you undertake is in the voluntary sector for a charitable cause the Other Work policy will not apply, where, in the opinion of your Director or other authorised Manager in your Service there is no conflict of interest.

It is applied regardless of:

- length of service
- protected characteristic – there shall be no discrimination on grounds of age, sex, disability, race, religion, sexual orientation, gender reassignment, marital or civil partnership status or pregnancy or maternity status
- caring responsibilities
- care experience
- military experience

## **National Fraud Initiative**

The [National Fraud Initiative \(NFI\)](#) matches electronic data within and between participating bodies. Perth & Kinross Council is required by law to take part in this exercise.

One of the most common data matches from NFI is often where employees have other sources of income and this is required to be investigated by the Payroll & Reward Team. To allow the match to be resolved there requires to be a valid Other Work Form on file.

Should this form not be readily available when checks are being undertaken the Payroll & Reward Team will request this.

## **Principles and Procedure**

### **Conflicts of Interest**

The [Employee Code of Conduct](#) sets out the standards the Council expects from you as a Council employee when engaged in other work.

It is your responsibility to declare any potential conflict of interest or interests which might have some bearing on the duties which you undertake for the Council using the [Conflict of Interest Procedure](#). In cases of doubt, it is always better to declare an interest, even if it seems remote or unlikely to affect your work. In this way, you will safeguard yourself from the possibility of future criticism.

### **Reasons for Refusal**

The Council reserves the right to refuse a request if:

- your request is to work for an employer who is or may be, in direct competition with any of the Council's services; or
- it is with an employer that provides goods or services to the Council, or has any other type of contractual arrangement with the Council; or
- the type of work involved might represent a conflict of interest; or
- the hours of work would be likely to interfere with your performance, attendance and/or timekeeping

## **Application and Approval Process**

Should you wish to engage in other work you must also read the [Employee Code of Conduct](#) and all documents referred to within the policy and code before making any application to engage in other work. You will be required to adhere to these.

You should complete the Other Work Application Form which is available electronically on the MyView employee portal and submit to an authorised Manager in your Service for **prior approval**.

If there is any change to the information provided on your application form you should immediately notify an authorised Manager in your Service. This should normally be the manager who approved your request to carry out other work.

Where approval to engage in other work is granted you will receive a reminder to re-apply, on an annual basis, via MyView.

Where a request has been authorised, **permission may subsequently be withdrawn** if a reason for refusal subsequently arises.

## **Breach of Policy**

Breach of this policy could be regarded as a disciplinary offence and dealt with under the [Achieving and Maintaining Standards Policy](#) or [Disciplinary Procedure for Teachers](#) and depending on the circumstances could be regarded as gross misconduct.

## **Monitoring and Review**

Service Management Teams should have procedures in place to monitor and ensure compliance with the Working Time Regulations and the Other Work policy.

The HR Services Team can provide information on working hours and permission granted to employees to carry out other work to managers on request which Services may find useful in their compliance role.

Further guidance on the policy can be sought from Human Resources.

**List of authorised personnel to approve Other Work applications**

**Corporate & Democratic Services**

Heads of Service

Corporate HR Manager

**Education & Children's Service**

Executive Director

Depute Director

Heads of Service

Headteachers

**Health & Social Care Partnership**

Chief Officer/Director

Head of Adult Social Work and Social Care

Chief Finance Officer

**Communities**

Heads of Service