



Declaration of Interest (Procurement)

Unique identifier ¹ (UI) number	
Procurement/contract title/ref number	
Organisation	Chelmsford City Council
(Officer) name	
Job title / role	
Service area	

PART ONE

Statements

1. I acknowledge that my official duties require me to have access to documents or data relating to the above procurement, and that in carrying out my duties I may be in a position to influence the procurement process.
2. I understand that I am under a duty to disclose details of any conflicts of interest, whether actual, potential or perceived, and that I may be required to take steps to mitigate such conflicts.
3. I understand that the details of any conflict of interest I may have (whether actual, potential or perceived, and any steps taken to mitigate this conflict) may² be recorded within a conflicts assessment and that my interests will be kept under review (as required). I also understand that the conflicts assessment may be disclosed to a third party in the event that any investigations and/or proceedings are brought against Chelmsford City Council, the “Contracting Authority”, in respect of the above procurement.
4. In carrying out my duties, I am aware that I will have access to confidential documents or data and that unauthorised disclosure of information could damage the integrity of the procurement and that transmission or revelation of such information to unauthorised persons will subject me to disciplinary action.

¹ Unique identifier is the globally unique (OCID) number generated by the central digital platform

² The [Procurement Act 2023 guidance](#), on conflicts of interest, outlines when Contracting Authorities must prepare a conflicts assessment (though Contracting Authorities may also opt to use a Conflicts Assessment for other procurements).

5. I will not divulge, publish or reveal by word, conduct, or any other means such information or knowledge, except as necessary to do so in the performance of my official duties related to this procurement and in accordance with the laws of the United Kingdom. Otherwise, I will need special authorisation in writing in each and every case by the Councils Procurement Manager the “**Authorised Individual**” of the Contracting Authority.
6. If at any time during the procurement my participation might result in an actual, potential or perceived conflict of interest, or my circumstances change in respect of an interest already disclosed, I will immediately report the circumstances to the Procurement team.
7. I acknowledge that providing false or misleading information or failing to declare an interest or to attempt to influence the outcome of the procurement process because of a financial or other interest could constitute gross misconduct in relation to my employment and/or a criminal offence for which I may be prosecuted.

Individual declaration (choose from Declaration A or Declaration B)

Please consider any interests relevant to the procurement. An “interest” includes a personal, professional or financial interest and may be direct or indirect.

- An ‘**actual conflict of interest**’ exists where there is a conflict of interest **now**.
- A ‘**potential conflict of interest**’ exists where a conflict of interest will arise in **future** if certain circumstances occur.
- A ‘**perceived conflict of interest**’ exists where there are circumstances which the Contracting Authority considers likely to **cause a reasonable person to wrongly believe there to be a conflict or potential conflict of interest**.³

Check the box that applies:

<input type="checkbox"/>	<p>Declaration A (if no conflicts of interest)</p> <p>By signing this Form, I declare that:</p> <ol style="list-style-type: none"> a. I have read, understand and accept the Statements above; b. I confirm that there are no conflicts of interest of any nature which are relevant to this procurement; and c. if any actual, potential or perceived conflicts of interest arise in the future, I will inform an Authorised Individual immediately.
<input type="checkbox"/>	<p>Declaration B (if actual, potential or perceived conflicts of interest exist)</p> <p>By signing this Form, I declare that:</p> <ol style="list-style-type: none"> a. I have read, understand and accept the Statements above; b. I confirm that I have declared any conflicts of interest of any nature relevant to the above procurement in the table below; c. I will carry out any agreed mitigations as may be set out in Part Two of this Form, in consultation with the Authorised Individual; and,

³ It is the Individual’s responsibility to consider whether there may be any circumstances which the Contracting Authority should be made aware of that may amount to a perceived conflict of interest.

d. if any other actual, potential or perceived conflicts of interest arise in the future, or if my circumstances in respect of the interests identified below change, I will inform an Authorised Individual immediately.

Name	
-------------	--

Signature	
------------------	--

Date	
-------------	--

My actual, potential or perceived conflict(s) of interest:

Interest(s) identified in Part One

1.
2.
3.

*Add or delete rows as required

PART TWO

Conflict of Interest Mitigations

Agreed mitigations include:

Interest(s) identified in Part One	Supplier(s) impacted	Details of Agreed Mitigations (steps taken or will be taken)
4.		
5.		
6.		

Declaration

Upon discussion with the Individual in respect of the Interests identified in Part One, I consider that:

A) **Mitigations are sufficient** and therefore [INSERT INDIVIDUAL]'s role in the procurement will be [BRIEF DESCRIPTION OF ROLE].

or,

B) **Mitigations are not sufficient** and therefore [INSERT INDIVIDUAL] will not have a role in the procurement.

Authorised Individual/s

By signing this Form, I confirm that the interests identified in Part One have been or will be mitigated. Any steps taken or that will be taken in the future are detailed in Part Two.

Name	
Job title	
Signature	
Organisation and team	
Date	

Annex - Guidance Notes

This form should be considered a live document and should be routinely updated throughout key stages of the commercial lifecycle of a procurement (including the planning, assessment and contract award, contract management and contract termination or expiry stages).

This Declaration Form is intended to identify conflicts and potential conflicts of interest relating to an “Individual” involved in a procurement. This is to help ensure the procurement’s integrity and that suppliers are treated fairly.

Guidance on the Procurement Act 2023 conflicts of interest requirements can be found here. For procurements not covered by the Procurement Act, this form may still be used as good practice.

“Procurement” in this Form refers to all stages of a procurement, including:

- a) the award and entry into a contract; and,
- b) the management of a contract, including any modifications and up until contract expiry or termination.

Individuals must avoid placing themselves in a position where there is an actual or potential conflict between their personal, professional or financial interests and their official duties regarding the procurement, whether directly or indirectly, and where a conflict might be unavoidable, disclose this interest to an Authorised Individual. Furthermore, Individuals should be aware that circumstances that may give rise to a perceived conflict should be discussed with an Authorised Individual to reduce the risk of this impacting the procurement. Individuals must also comply with internal policy relating to gifts, hospitality and conflicts of interest at all times.

Examples of conflicts of interest may include, but are not restricted to:

- if you are a current or previous employee of a supplier, or have a member of your family, your partner (married, civil partnership or not), your siblings, your children, or any close personal or professional relationships that are an employee of a supplier, that is likely to be interested in taking part in the relevant procurement.
- if you, or a member of your family/friends (as set out above), has a financial interest in a supplier that is seeking to do business with the Contracting Authority;

This is a non-exhaustive list of examples and it is your responsibility to ensure that any and all actual, potential or perceived conflicts are disclosed prior to you being involved in the procurement.

If you are unsure whether your current or previous relationship or involvement with a supplier that is seeking to do business with the Contracting Authority constitutes a conflict of interest, you should seek advice from an Authorised Individual within your organisation.

This form also includes a requirement for individuals involved in the procurement to treat information (including but not restricted to bid documents, supplier evaluations etc.) with the appropriate level of confidentiality, and not make any unauthorised disclosures of this information.

Declaration A should be signed if there are no actual, potential or perceived conflicts of interest.

Declaration B should be signed if there are actual, potential or perceived conflicts of interest. The conflicts of interest and mitigations must be stated, as must the role that the individual will be carrying out (where appropriate) within the procurement. An Authorised Individual must also sign Part Two to confirm that they accept that appropriate mitigations have been put in place.

Individual and Authorised Individual

An **Individual** is any person(s), acting for or on behalf of the Contracting Authority where that individual influences a decision made by or on behalf of a Contracting Authority in relation to a procurement.

By way of example, this could include (but is not limited to) any of the following individuals:

the project management team, the senior responsible officer, the budget holder, the commercial director, members of the management board, commercial staff, specification writers, people who will assess tenders, contractors, external experts, private sector secondees and consultants, non-executive board members, special advisers, private office employees and Ministers.

If conflicts of interest arise during the commercial lifecycle, an Authorised Individual must be notified immediately. Any disclosure of procurement information without written approval from an Authorised Individual will be considered a breach of this agreement.

An **Authorised Individual** is any person(s) to whom management has been delegated (for example from an accounting officer) to be responsible for managing the disclosure of procurement information and conflicts of interest. For example, this may be a Commercial Officer, Manager or Lead.