



HR Employment Information & Guidance **Employee Code of Conduct**

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1. Introduction

As Council employees we all serve the public, directly or indirectly. We have, therefore, a particular responsibility to give of our best and remain fair and impartial in all our actions.

The public is entitled to expect the highest standards of conduct from all of us who work for Local Government. This Code outlines existing laws, regulations and Conditions of Service and provides further guidance to assist the District Council and its employees in our day-to-day work.

This Code applies to all employees at all levels, including the Chief Executive and Corporate Leadership Team Members. The Code lays down guidelines which will maintain and improve standards and protect employees from misunderstanding or criticism.

We aim to achieve our goals of providing cost effective, the best service we can deliver within a local democratic framework.

Please read the Code carefully, as there may be points you are unaware of or do not fully appreciate.

2. Status of the Code

This Code has been adopted by the Council and sets out the standards which apply.

The Code is not intended to prohibit all social involvement with the outside world nor would it be right to restrict private dealings between employees and any particular person or body. It is, however, important that employees judge the wisdom of their actions not by any comparison with the practices which, no doubt for good reasons, are followed by the private sector but rather by reference to the traditional Public Service principles of accountability and responsibility.

The Code cannot cover all cases likely to arise in practice, but the principles certainly do. At the end of the day the Council relies on the integrity, common sense and professional judgement of individual employees.

3. Who is the Code Aimed At?

The Code applies to all employees under a Contract of Employment, including casual employment with the Council. However, some of the issues governed by this Code will affect some employees more than others, for example those who have frequent contact with members of the public, businesses, other organisations and councillors. Activities carried out by employees, acting in the course of their employment as directors of or representatives on organisations, should also be subject to the standards within the Code.

4. Standards

The Code is designed to help employees maintain the standards required of public officials and you should be aware that actions which are clearly contrary to the Code may provide evidence which may lead to disciplinary action in accordance with the Council's disciplinary procedure.

Council employees are expected to give the highest possible standard of service to the public. This Code of Conduct has been produced and agreed by the Council so that employees can be made aware of a number of key aspects expected from those working in the public sector. Particular standards of behaviour for employees are specified in the Council's Disciplinary Procedure. The Council's Standing Orders, Financial Regulations and Contract Procedure Rules with respect to Contracts must be adhered to at all times.

5. Disclosure of Information

The law requires that certain types of information relating to the Council are made available to the public. Equally there is other information that would be unlawful to disclose to a third party. Employees must treat all agendas, reports and other documents and all proceedings of the Council, Committees, Sub-Committees and Panels as confidential unless and until they become public in the ordinary course of the Council's business.

Employees must not access nor use any information obtained in the course of their employment, or from Council sources, for personal gain or benefit, nor should they pass it on to others who might use it in such a way.

Employees must comply with the Data Protection Act and the General Data Protection Regulation.

6. Political Neutrality

Employees serve the Council. It follows that they must serve all Councillors and not just those of the controlling group. Employees must give advice which does not compromise their political neutrality. Employees must implement the lawful expressed policies of the Council and must not allow their own personal or political opinions to interfere with their work. Employees should familiarise themselves with and comply with the Council's Protocol for Member/Officer relations.

Officers in posts designated as "politically restricted" must comply with the requirements specified in the Local Government and Housing Act 1989.

7. Relationships

Employees are responsible to the Council through their Senior Managers. For some employees their role is to give advice to Councillors and Senior Managers and all are there to carry out the Council's work. Mutual respect between employees and Councillors is essential to Local Government. Employees must not place themselves in a position where close familiarity with a Councillor prejudices their work in the Council.

When exercising their delegated powers employees must comply with the declaration of related party transactions applicable to Members of the Council.

The Council has a policy that, generally, partners or relations should not supervise or audit the work of each other. Each case will be judged on its merit and decisions to approve

arrangements where a person supervises or audits the work of a partner or relation will be taken by the appropriate member of the Corporate Leadership Team.

If the employee is involved in awarding work, orders or contracts to members of the public, contractors or suppliers, the employee must inform his or her line manager of all relationships of a business nature with members of the public, external contractors, potential contractors, or suppliers of goods or services. "Business relationship" includes such things as having a direct shareholding in a company or where the employee, a close family member or close friend works for a company. The line manager will wherever possible allocate the work to another employee in order to avoid any conflict of interest that could arise from an employee's business relationship with others.

8. Appointment and Other Employment Matters

Employees involved in appointments should ensure that these are made on the basis of merit. It would be unacceptable for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or are in a personal relationship with him or her.

Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner etc.

9. Outside Commitments

Officers above Salary Band G (SCP 28) shall devote their whole-time service to the work of the Council and shall not engage in any other business or take up any other additional appointment without express consent.

Under no circumstances should employees undertake private planning work i.e. to prepare any plans on behalf of any applicant to this Council for planning and/or Building Regulations consent within the District. Undertaking private planning work outside the District requires the prior approval of the Chief Executive after consultation with the Director of Economic Prosperity and Place.

No private work must be undertaken in Council time, on Council premises, or using Council equipment. External private calls, other than those which are local, should normally be made in the employee's own time and must be paid for.

Employees must disclose any personal interest that could conflict with the Council's interests including membership of a secret society which can be disclosed in confidence to the Corporate Leadership Team Member. The Chief Executive can provide guidance of the definition of a 'secret society'. The Solicitor to the Council will keep a record of employees' declarations of interest.

10. Corruption

Employees are made aware that it is a serious criminal offence for them corruptly to receive any gift or inducement (in this section these terms include loans, fees, rewards, any advantage whatsoever) for doing or not doing anything or showing favour or disfavour to any persons in their official capacity.

11. Hospitality and Gifts

In certain instances hospitality is not acceptable e.g. in connection with regulatory action. In other cases, modest hospitality, provided that it is normal and reasonable in the circumstances, e.g. lunches during a working visit, may be acceptable. It should not exceed the scale of hospitality which the Council would be likely to offer.

Subject to the guidance below about low value gifts and small gratuities where any gift is offered, employees of the Council should, if possible, refuse it. If it is not possible to refuse the gift, e.g. where such an item is left for the employee without being offered or posted, it should be returned to the person who sent it. In either case the Solicitor to the Council should be informed.

Gifts, other than those of low intrinsic value (e.g. diaries/calendars, pens, mugs), should be politely declined. If in doubt the employee should seek advice from their Manager. Small gratuitous tips such as those offered to employees at Christmas (e.g. Waste Crews) can be accepted. Tips must not be asked for or taken for providing an additional service over and above that agreed by the Council.

The Solicitor to the Council will keep a record of hospitality and gifts received, or refused, other than the low value gifts and small gratuities mentioned in the above paragraph.

12. Sponsorship – Giving and Receiving

Where an outside organisation wishes to sponsor or is seeking to sponsor a Local Government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Where the Council wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to the Solicitor of the Council of any such interest. Similarly, where the Council through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

13. Inappropriate/Sexual Material

It is not acceptable for employees to either possess or obtain any material which is of an inappropriate sexual, pornographic or discriminatory nature whilst in the workplace or whilst conducting Council duties outside of the workplace, i.e. including Council vehicles.

Inappropriate material can be defined as material that deals with matters such as sex, cruelty, violence, terrorism, racism or discrimination that has the potential to offend. Possessing or obtaining inappropriate material also applies to data stored or transmitted on Council computer systems or Council supplied mobile telephones. Examples of such material may include, but is not limited to:-

- Calendars
- Posters
- Magazines/Books/Other forms of literature
- Videos/DVD's
- Screensavers or computer desktops
- Computer images
- Photographs

14. Information Technology

Employees should ensure they familiarise themselves with the Council's ICT Policy and Social Networking Guidance.

15. Use of Financial Resources

Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Council.

16. Contact with the Media

Employees should ensure they familiarise themselves with the Council's Media Protocol.

17. Inclusion

All members of the community, customers and other employees have the right to be treated fairly and with dignity. You must make yourself aware of and comply with the Council's Equality, Diversity and Inclusion Policy and Procedure.

18. Smoke Free Environment

Employees should ensure they familiarise themselves with the Council's Smoke-free Workplaces Policy.

19. Drugs and Alcohol

Employees should ensure they familiarise themselves with the Council's Substance Misuse Guidance.

20. Health and Safety

Unsafe working can endanger you, your colleagues and members of the public. You must familiarise yourself with the Council's Health and Safety Policy and guidelines for your particular work. You must follow the rules, codes and safe practices they describe including reporting any accidents, incidents or near misses you have at work.

Where uniform or protective clothing is issued it must be worn as required when at work and representing the Council

In any circumstances, it is illegal to use a hand-held mobile phone when driving even when you are stopped at traffic lights or in a queue of traffic with the engine running. This includes using a hands-free phone if you fail to have proper control of the vehicle. Any employee caught using a hand-held mobile phone whilst driving a Council vehicle may be subject to action under the Council's Disciplinary Policy and Procedure.

21. Criminal Charges, Cautions and Convictions

You must advise your line manager immediately if you are charged with or cautioned or convicted of any criminal offence whilst you are an employee of the Council. While such proceedings will not necessarily affect your employment, the Council needs to be sure there are no implications for its reputation and service delivery or in relation to the role you undertake.

You must also advise your line manager immediately if you have been arrested or appeared in court and released on bail in circumstances where bail conditions have been applied which could have consequences for your work. If you are in any doubt about whether you should report bail conditions you must discuss it with your line manager or HR so that any concerns can be addressed from the outset. Informing the Council of relevant bail conditions will assist you in making sure that you do not inadvertently breach bail conditions that have been imposed, and where appropriate the Council will make adjustments to your work accordingly to assist compliance.

22. Conduct and Performance

Unacceptable behaviour and/or failure to maintain satisfactory standards of conduct or performance will lead to action being taken against you under the appropriate Council procedure. This includes specifically the failure to behave at all times in accordance with the Council's stated values.

23. Competition for Council Services

Employees who are approached by private companies for details of the Council's procedures such as enquiries about staffing policy, purchasing policy, costing methods and operational procedures should tell their Corporate Leadership Team member and/or immediate supervisor immediately. Employees should not put fellow employees at a disadvantage in competition by inadvertently supplying confidential information to competitors.

Employees approached by companies or agencies promoting 'Management Buy Outs' should report any such approaches to their Corporate Leadership Team member immediately. On no account should employees work up 'Management Buy Out' proposals whilst remaining in the employment of the Council without first obtaining the Council's express and specific consent. Employees wishing to develop such an initiative should write to the Chief Executive at the earliest opportunity setting out their proposals for consideration.

24. Use by Employees for Their Own Purposes of Council Purchasing Arrangements

No authority has been given for employees to use for their own advantage any favourable terms which the Council may have negotiated or been given for the purchase of goods or services.

Although it may appear reasonable and convenient to an employee to use the Council's arrangements for obtaining goods and services for his/her own purposes on occasion and although such use may not involve the Council in any expenditure or commitment, such practice is contrary to the Council's financial regulations and is also in contravention of Section 117 of the Local Government Act 1972.

The Council's affairs (like those of other public authorities) are subject to strict control and stringent scrutiny both by internal and external bodies. Employees are therefore instructed to keep transactions they make on behalf of the Council entirely separate from and unconnected with their personal and other affairs. On no account should staff use any special purchasing or discount arrangements which the Council may have with suppliers; nor should the Council's name be used in connection with any unofficial transaction.

25. Breaches of the Code

Any breach of the Code of Conduct may be dealt with under the Council's Disciplinary Procedure.

26. Further Advice

Details of policies referenced in the Code of Conduct and relating to people management can be found on the HR pages on the Council's Intranet. Further advice is available from the HR team.