

**EMPLOYEE
CODE OF CONDUCT**

Code of Conduct for all Employment Groups

Introduction

The public is entitled to expect the highest standards of conduct from all employees who work for this Council. In recognition of this, and to avoid uncertainty in the matter, the Council has adopted this Code of Conduct which sets out the guidelines to help maintain and improve standards.

Equally, the Code is designed to protect employees from misunderstanding or criticism which may be unjustly levelled at them.

The Code is applicable to all Council employees, who share responsibility for its effectiveness, and has been endorsed by the recognised trade unions. Adherence to its provisions is therefore a condition of employment for all, and any breach of the Code may result in action being taken under the Council's Disciplinary Procedure.

1. General Standards

- 1.1 Employees are expected to give the highest possible standard of service to the public and, where it is part of their duties, to provide appropriate advice to Councillors and fellow employees with impartiality.
- 1.2 Employees are expected to bring to the attention of the appropriate level of management, any deficiency in the provision of service.
- 1.3 Employees must report to the appropriate manager any impropriety, breach, or suspected breach of this code.

NOTES:

- i) The "appropriate level of management" may vary depending on the particular situation and could be any of the following: first line manager; Service Manager; Divisional Head; Borough Personnel Officer; Chief Officer; Director of Finance; or Chief Executive.
 - ii) Where necessary, employees may by-pass their own management structure.
- 1.4 Any employee who, in good faith, reports an impropriety, breach or suspected breach of the Code, may do so without fear of consequence.
 - 1.5 Equally however, employees are reminded that allegations or accusations which are deemed to be malicious will be subject to investigation under the Council's Disciplinary Procedures.

2. Use of Financial Resources

- 2.1 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 Authority.

3. Disclosure of Information

- 3.1 The law requires that certain types of information must be available to Members, auditors, government departments, service users and the public: employees must be clear about which information may be disclosed, in which circumstances, and must act accordingly.
- 3.2 Employees must not use any information obtained in the course of their employment for personal gain or benefit, nor pass this on to others who might use it in such a way. Any particular information received by an employee from a Councillor which is personal to that Councillor and does not belong to the Authority must not be divulged by the employee without the prior approval of that Councillor, except where such disclosure is required or sanctioned by the law.
- 3.3 The Data Protection Act 1984 places a legal requirement on all employees to refrain from disclosing, or making use of for their private advantage, or the advantage of any third party, any information held on a computer and not available to the public which they may acquire during the course of their employment with the Authority.

4. Off Duty Hours and Outside Commitments

- 4.1 Employees' off duty hours are their personal concern but they must not subordinate their duty to private interests or put themselves in a position where official duty and private interests conflict.
- 4.2 Private work which might involve any dealings with the Council must be disclosed and can only be done with the express consent of the Chief Officer.
- 4.3 Employees graded on the Senior Officer level and above must not engage in any other business or take up any other appointment without the express consent of their Chief Officer.
- 4.4 Employees must declare to an appropriate manager any financial interests which could conflict with the Authority's interests.
- 4.5 Employees must declare to an appropriate manager any non-financial interests that they consider could bring about conflict with the Authority's interests, including acting as a school governor within schools maintained by the Authority; membership of an NHS trust board; involvement with any organisation or pressure group which may seek to influence the Authority's policies; etc.
- 4.6 Employees must declare to an appropriate manager membership of the Freemasons or any other organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct.

5. Political Neutrality

- 5.1 Employees serve the Authority as a whole. It follows they must serve all Councillors and not just those of the controlling group, and must ensure that the individual rights of all Councillors are respected.
- 5.2 Employees who are required to advise political groups must do so in ways which do not compromise their political neutrality.
- 5.3 Employees, whether or not politically restricted, must follow every lawful expressed policy of the Authority and must not allow their own personal or political opinions to interfere with their work.

NOTE: The above requirements do not apply to political assistants appointed on fixed term contracts in accordance with the Local Government and Housing Act 1989.

6. Relationships

- 6.1 With Councillors:- Mutual respect between employees and Councillors is essential to good local government, but close personal familiarity between employees and individual Councillors should be avoided as this can damage the relationship and prove embarrassing to other employees and Councillors.
- 6.2 With The Local Community and Service Users:- Employees must always remember their responsibilities to the local community and service users, and must ensure courteous, efficient and impartial service delivery at all times.
- 6.3 With Contractors:- Employees must disclose, to the appropriate manager, all relationships of a business or private nature with external contractors, or potential contractors. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour shown to businesses run by, for example, friends, partners or relatives in the tendering process. Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, must declare that relationship to the appropriate manager.
- 6.4 With Other Employees or Applicants For Employment:- All selection, appointments and promotions throughout the Council's service are made purely on clear and justifiable job related criteria. In order to avoid any possible accusation of bias, employees who are related to, or have a close personal relationship outside work with, an applicant, must not take part in the process.

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

7. Equality Issues

- 7.1 All members of the local community, customers and other employees have a right to be treated with fairness and equity and all employees must ensure that policies relating to equality issues, as agreed by the authority, are complied with in addition to the requirements of the law.
- 7.2 In particular, employees are reminded that discrimination against or harassment of an employee, a prospective employee, a client or member of the public, on any of the grounds set out in the Council's Equal Opportunities in Employment Policy, will incur action under the Council's Disciplinary Procedure.

8. Separation of Roles during Tendering and in Supervision of Contracts

- 8.1 Employees involved in the tendering process and dealing with contractors must be clear on the separation of client and contractor roles within the authority. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- 8.2 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors, including the in-house team..
- 8.3 Employees who are privy to confidential information on tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation.
- 8.4 Employees contemplating a management buy-out must, as soon as they have formed a definite intent, inform the appropriate manager and withdraw from the contract awarding processes.
- 8.5 Employees must ensure that no special favour is shown to current or recent former employees or their partners, friends, relatives or associates, in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

9. Corruption

- 9.1 It is a serious criminal offence for employees corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If such an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

10. Gifts and Hospitality

- 10.1 Employees must treat with extreme caution any offer or gift, favour or hospitality that is made to them personally, as the organisation or person making the offer may be doing or seeking to do business with the Authority, or may be applying to the Authority for planning permission or some other kind of decision.

- 10.2 Employees must not accept significant personal gifts from Contractors and outside suppliers, but may keep insignificant items of token value such as pens, diaries etc.
- 10.3 Employees must only accept offers of hospitality if there is a genuine need to impart information or represent the authority in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the authority should be seen to be represented, and must always be properly authorised and recorded.
- 10.4 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the authority gives consent in advance and where the authority is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, etc. are required, employees should ensure that authorities meet the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.
- 10.5 When receiving authorised hospitality employees should be particularly sensitive as to its timing in relation to decisions which the authority may be taking affecting those providing the hospitality.
- 10.6 When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the authority.

NOTE: Where there is any doubt about the significance of gifts or hospitality, or about the intentions of Contractors and Outside Suppliers who make such offers, these should always be refused and the matter discussed with the appropriate level of management.

11. Sponsorship - Giving and Receiving

- 11.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a Council 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.
- 11.2 Where the authority wishes to sponsor an event or service neither an employee nor any friend, partner or relative must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interest. Similarly, where the authority 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.

12. Registration of Interests

- 2.1 In line with the Code, employees have a duty to disclose any interest, financial or otherwise, which may conflict with those of the Authority.
- 12.2 These interests will be recorded in a Council Register of Employees' Interests, which is confidential and not open to members of the public.

