

Employee Code of Conduct

1. Purpose

- 1.1 This code sets out the standard of conduct that the Council expects from its employees. The aim is to promote high standards of conduct and to maintain public confidence in the Council's services

2. General Principles

- 2.1 The public is entitled to expect the highest standards of conduct from all employees. The role of employees is to represent the Council in delivering services to the local community. Employees must perform their duties to the best of their abilities with honesty, integrity, impartiality and objectivity and contribute to the maintenance of high standards in public service. Employees must at all times act in accordance with the trust that the public is entitled to place in them.
- 2.2 This code should be read in conjunction with the Council's Constitution and Human Resources Policies and Procedures.

3. Gifts and Hospitality

- 3.1 All offers of gifts or hospitality should be treated with caution. Where a gift or hospitality could be perceived as an inducement or reward for performing Council duties, or where acceptance of the gift or hospitality could be open to misinterpretation, employees should tactfully but firmly refuse the offer.
- 3.2 Gifts of a promotional nature, e.g. calendars, diaries and pens which are of a low monetary value i.e. less than £25 may be accepted.
- 3.3 All offers of gifts and hospitality of £25 or more in value, including any offers of sponsorship for training or development, whether or not they are accepted, must be recorded promptly (and no later than 28 days from the date of the offer) in a register held by a nominated officer in the relevant service grouping. Completed forms are to be submitted to and approved by the appropriate Head of Service or Corporate Director. Copies are sent to Democratic Services for recording and monitoring purposes.
- 3.4 It is a criminal offence under the Bribery Act 2010 to accept a bribe or to bribe another person. The offence of being bribed will occur where an employee agrees to receive or accepts an advantage (for their own or another's benefit and whether or not he or she actually receives it), in order to carry out the improper performance of a Council function, or where the advantage may be a reward for already having performed the function improperly.
- 3.5 The offence of bribing another person occurs where an employee offers, promises or gives a financial or other advantage to another person, with the intention that this will induce that person to improperly perform a function or activity, or in order to reward that person for the improper performance of such a function or activity.

- 3.6 Guidance on the Bribery Act indicates that bona fide hospitality and promotional, or other business expenditure which seeks to improve the image of a commercial organisation, better to present products and service, or to establish cordial relations, is recognised as an established and important part of doing business and it is not the intention of the Act to criminalise such behaviour.
- 3.7 If employees are in any doubt about the acceptance of a gift or hospitality they should inform their Head of Service or Line Manager in advance (where feasible) and seek advice. Where an employee receives an unsolicited gift or believes that a person is otherwise attempting to influence him or her, the Head of Service or Line Manager should be informed immediately.
- 3.8 Particular care should be taken by employees concerned with purchasing or the award of official contracts. An employee who knowingly accepts a gift or favour from a contractor or other person seeking services to or from the Council may put themselves at risk of a disciplinary investigation. Failure to record offers of gifts and hospitality may also be the subject of investigation by managers.

4. Legacies

- 4.1 Employees are not permitted to accept a bequest or agree to be a beneficiary under the terms of a client/service user's will or testament. Any bequest made or received by an employee or a relative or close associate of the employee must be reported to the Head of Service or Line Manager.
- 4.2 To avoid any allegations of improper conduct or undue influence, employees are not permitted to be involved in the preparation, writing, witnessing or signing of a client/service user's will or testament.

5. Confidential Information

- 5.1 Employees should treat all information they receive in the course of their employment as confidential to the Council. Employees must not use information in the Council's possession to further their private interests or those of their relations and friends. Deliberate exploitation of confidential information for personal gain may result in disciplinary action including dismissal.
- 5.2 Employees are only permitted to disclose confidential information where it is required by law or where the Council has agreed to make the information available to the public. Where employees are in any doubt as to whether they are permitted to release information they must consult their Line Manager or Head of Service before any disclosure is made.

6. Officer Interests

- 6.1 Employees must disclose any personal conflicts of interest and must not involve themselves in any decisions or matters where their actions could be perceived as biased. A personal conflict may arise where an employee provides consultancy services in a private capacity which conflict with or are of a similar nature to the Council's services, or which may result in a reduction of Council services. Another example is where an employee, acting in a

private capacity, causes conflict with the service provided by the Council to a service user.

- 6.2 Employee interests in contracts must be disclosed in writing where employees have any financial interest, direct or indirect, in any contract which the Council has entered into or is proposing to enter into, or any application for a licence, consent or permission. Employees are also required to identify a partner, relative or close associate who might have a legitimate interest in Council contracts or services.
- 6.3 Employees must also disclose in writing any interests where they are involved as either as an individual or as a partner in a business or as a Director of a Company or where they have a substantial shareholding in a public or private company which regularly has dealings with the Council. For this purpose, "substantial" can be defined as more than £5,000 nominal value or 1/100th of the nominal value of the company whichever is the lower. Friendship or membership of an association or society could also influence employee's judgements and should be treated in the same way.
- 6.4 If employees are in any doubt as to what interests they need to declare they should seek guidance from their Head of Service or Line Manager. Failure by employees to declare interests in contracts or companies is a criminal offence. Failure to disclose a conflict of interest may result in disciplinary action.

7. Public Office

- 7.1 Employees who wish to seek public office in an Authority other than that with whom they are employed are not generally prevented from doing so unless they occupy politically restricted posts under the Local Government and Housing Act 1989, but should discuss their intentions and the implications with their Head of Service and seek legal advice. Arrangements for time off for public duties are explained in the Council's leave policy.
- 7.2 Employees other than holders of politically restricted posts who become Councillors of other Local Authorities should ensure that their two capacities are kept separate. In particular, they should take care that they do not disclose or use for an unauthorised purpose confidential information which could benefit or cause harm either to the Authority represented or to the employing Authority.

8. Political Activities

- 8.1 Political activities relate to standing for public elected office, engaging in party political debate in a personal capacity, by speaking or writing in public and canvassing at elections. The ability of employees to indulge in such activities is restricted if they occupy politically restricted posts.
- 8.2 An employee who proposes to engage in political activities should consider all aspects of this Code and ensure there is no conflict of interest between their duties as an employee and their political activities. Employees at a senior level who regularly advise members, regularly have contact with the public or media, or exercise delegated powers should take particular care when they propose to engage in political activities. They must in all cases consult their Head of Service or Line Manager.

- 8.3 Where employees are required to advise elected Members they must do so in ways which do not compromise their political neutrality and must not allow their own personal or political opinion to influence or interfere with their work.

9. Recruitment and Employment

- 9.1 Employees involved in recruitment or decisions relating to discipline, promotion or grading must not be involved where they are related to an applicant or have a close association with an applicant or employee.
- 9.2 All employees involved in recruitment and selection on behalf of the Council must be familiar with, and abide by, the Council's recruitment policy and procedures.
- 9.3 Canvassing of elected Members of the Council relating to any employment matter including appointments, is strictly prohibited and may result in disciplinary action.

10. Sustainability Issues

- 10.1 Employees must be aware of their obligation towards improving the environment and in particular ensure the wider long term implications of their actions are in accordance with Council policy.
- 10.2 Employees are required to consider sustainability issues when undertaking their duties, including the procurement of goods and services. In particular they should seek opportunities to improve and promote energy conservation, advocate recycling and waste minimisation, reduce pollution and support Council initiatives to improve the environment.

11. Diversity

- 11.1 All members of the local community, customers, contractors, elected Members and employees have a right to be treated with fairness and dignity. All employees are required to comply with Council diversity policies and in accordance with the legal requirements placed upon the Council.

12. Intellectual Property/Copyright/Lecture Fees

- 12.1 All creative designs, writings and drawings produced by employees in the course of their duties are the property of the Council.
- 12.2 All inventions made by employees remain the property of the Council if made during the course of their duties. The duties are described in the employees terms of employment, job description and those arising from an instruction from a manager or other authorised officer of the Council.
- 12.3 Fees for giving lectures or writing articles may only be retained by employees where these activities are not integral to their employment or position with the Council and they are conducted in the employees own time.
- 12.4 Where employees are interviewed by the media or agree to give lectures in connection with their official duties the Council's publicity manager must be consulted on any intended lecture or publication in the press or other media

which is connected to their official duties and prior consent of their Head of Service or line manager must be obtained.

- 12.5 Employees should take care when expressing their personal views publicly that they do not undermine confidence in their objectivity in the performance of their duties.

13. Use of Council Facilities

- 13.1 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 Council.

- 13.2 The Council's resources should be used solely in respect of its business. No improper use must be made of premises, vehicles, equipment, stationery or services. A reasonable amount of personal use of ICT and telephone facilities may be made but are subject to the Council ICT protocols and the payment of all personal telephone calls on a monthly basis.

14. Performance of Duties

- 14.1 Employees are required to observe agreed working procedures, operational regulations, health and safety rules, regulations, professional codes of practice and the provisions of the Council's constitution and to carry out reasonable and proper instructions in matters relating to their duties.

- 14.2 An employee must not:-

- (a) Fail to discharge through carelessness, or neglect an obligation placed upon him/her by contract or by law;
- (b) Fail to report any matter which he/she is required to report;
- (c) Fail to wear safety clothing or footwear, or use safety equipment which has been issued as being necessary in the interests of health & safety or otherwise fail to have due regard to health & safety requirements.

- 14.3 Failure to observe the Employee Code of Conduct or Human Resources Policies and Procedures (specifically those relating to substance misuse, smoking or ICT protocols) or other Council policies, regulations or standards, may lead to disciplinary action in accordance with the Council's disciplinary procedures.