

OFFICER CODE OF CONDUCT

1. Introduction

- 1.1 This code has been formulated by the Council to provide a set of standards of conduct expected of employees at work and the link between that work and their private lives. The code takes into account the requirements of the law.
- 1.2 The Code applies to all Council employees. Those employees involved in processing applications for services or resources, licences or statutory consents and those involved in the procurement of goods and services need to pay particular attention to the code.
- 1.3 The Public is entitled to expect the highest standard of conduct from all employees who work for the Council.
- 1.4 The code will be made readily accessible in all work places to all employees for reference purposes. The code applies to all employees of the Council. Investigations of alleged breaches of this code will be dealt with under the Council's Disciplinary Procedure. If employees are in any doubt whether they may be in breach of this code they should seek advice from their Senior Officer or Head of Service.

2. Standards

- 2.1 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 other employees and members with impartiality and courtesy.
- 2.2 Employees should bring to the attention of their Line Manager any deficiency in the provision of service and must report any impropriety or breach of procedure and to consider, if appropriate, the Council's Whistleblowing Policy is attached to this Code as **Annex 1**.

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.
- 3.2 Under the Local Government Act 1972 the public have a right to see certain information. In most circumstances these rights are related to Committee Reports and background documents.
- 3.3 Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way.
- 3.4 Only employees authorised by their Line Manager or Head of Service to do so, may talk to the Press or otherwise make public statements on behalf of their Service or Directorate. Generally, an employee contacted by the Press should refer the matter to Communications who will deal with it as appropriate.

- 3.5 Information received by employees which is personal to a Councillor and does not belong to the Council should not be divulged without the prior approval of that Councillor, except where such disclosure is required by law.

4. Political Neutrality

- 4.1 Employees serve the Council as a whole. It follows, therefore, that they must serve all Members not just Members of any controlling Group and must ensure that the individual rights of all Members are respected.
- 4.2. Some senior employees will be expected, within the Council's guidelines, to advise political groups. These employees have a duty to advise minority groups as well as the majority group.
- 4.3 Some employees, who are normally those in more senior positions, are in politically restricted posts and by law are prevented from taking part in certain political activities outside their work. Employees who are in this position should have been told of this in writing and of the rules about claiming exemption, but any employee who is in any doubt about their position should contact their Line Manager, Head of Service or Human Resources.
- 4.4 The political activities which are restricted for these Officers in politically restricted posts mainly cover the following areas: -
- (a) Standing as a candidate for election to the House of Commons, European Parliament or a Local Authority (other than a Parish Council).
 - (b) Holding office in a political party at any level, except in limited roles concerned only with the internal membership of the party.
 - (c) Canvassing at an election.
 - (d) Speaking in public or publishing any written or artistic work which appears to be intended to affect public support for a political party.
- 4.5 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.

5. Relationships

5.1 Members

Some employees are required to give advice to members as part of their job. Mutual respect between employees and Members is essential to good Local Government but close personal familiarity between employees and individual Councillors can damage the relationship and prove embarrassing to other employees and should, therefore, be avoided.

5.2 The Local Community and Service Users

Employees must always remember their responsibility to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within the Community.

5.3 Contractors

All relationships of a business or private nature with contractors, or potential contractors, must be made known to the appropriate Director, who will record the fact in a register kept for this purpose. Orders and contracts must be awarded on merit, by fair competition against other tenders and no favouritism should be shown to businesses run by current or recent employees or their partners, close relatives or associates.

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, financial or domestic capacity with contractors, should declare that relationship to their Director and/or the Head of Legal and Democratic Services will shall be recorded in a register kept for this purpose.

6. Appointments and Other Employment Matters

- 6.1 Employees involved in appointments should ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the work. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to and are parties with an applicant, or have a close personal relationship outside work with them.
- 6.2 Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any employee who is a relative, partner, close friend.

7. Outside Commitments

- 7.1 Employees off-duty hours are their personal concern but they must not subordinate their duty to their private interests or put themselves in a position where duty and private interests conflict with as an Officer or work of the Council.

The Council would not wish to preclude employees unreasonably from undertaking additional work unless that work conflicts with or detrimentally affects the Council's interests or in any way affects their ability to undertake their Council Work.
- 7.2 However Officers above Scale 6 are expected to devote the whole of their service to the work of the Council and must not engage in any other business or take up any other additional appointment without the written agreement in advance of the Director.
- 7.3 If agreement is given employees must be made aware that no outside work of any sort should be undertaken in the workplace and use of facilities e.g. telephones, photocopying, etc... for this is forbidden, unless this is previously authorise and paid for.

8. Personal Interests

- 8.1 Employees must declare to their Line Manager, or Head of Service if appropriate, non-financial interest that they consider could bring about conflict with the Council's interest. This could include involvement with an Organisation receiving Grant Aid from the Council, Membership of an NHS Trust Board, involvement with an

Organisation or Pressure Group which may seek to influence their Authority's policies. Membership of a Trade Union is exempted from this requirement.

- 8.2 Employees must declare any financial interests which could conflict with the Council's interest.
- 8.3 Employees must declare to their Senior Officer or Core Manager membership of any Organisation not open to the public – with a formal membership and a commitment of allegiance and which has secrecy about its rules or membership or conduct e.g. Freemasons.
- 8.4 Employees who have an interest, financial or non-financial, should not involve themselves in any decision on allocation of Council services or resources from which they, their friends or family might benefit, and should ensure that the matter is referred immediately to their Line Manager or Head of Service.

9. Equality Issues

- 9.1 Employees have an obligation to ensure that policies relating to equality issues as agreed by the Council are complied with as well as the requirements of the law. All members of the local community, customers and other employees have a right to be treated with fairness and equity.

10. Separation of Roles During Tendering

- 10.1 Employees should be clear on the separation of client and contractor roles within the Council. Senior employees who have both a client and a contractor responsibility must be aware of the need for accountability and openness.
- 10.2 Employees in contractor or client units must demonstrate fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- 10.3 Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.
- 10.4 Employees should ensure that no special favour is shown to current or recent former employees, or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

11. Corruption

- 11.1 It is a serious criminal offence for an employee 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. It is for the employee to demonstrate that any such rewards have not been corruptly obtained.

12. Use of Financial Resources

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

13. Hospitality

- 13.1 Employees must treat with extreme caution any offer, gift, favour or hospitality made to them.
- 13.2 If there is a genuine need as a legitimate part of an employee's job to accept offers of hospitality this may be allowed. The decision whether to accept is one of common sense, however, any employee who is in doubt about the legitimacy of any offer of hospitality must ask his/her Director for advice.
- 13.3 When considering whether or not to accept hospitality employees must be sensitive to the timing of decisions for letting contracts for which the provider may be bidding and must never accept hospitality from a contractor during, or just prior to, a tendering period.
- 13.4 Acceptance by employees of hospitality at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal.
- 13.5 Any offer, gift, favour or hospitality as described in the above paragraphs should only be accepted where the employee is satisfied that any purchasing, planning or other Council decisions are not compromised. Employees should not place themselves in a position where their own integrity and the integrity of the Council may be called into question.
- 13.6 When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the Council.
- 13.7 Employees must not accept significant personal gifts from contractors and outside suppliers. Insignificant tokens such as pens or diaries may be accepted.
- 13.8 A register is maintained by the Head of Legal and Democratic Services which is open to inspection by the Standards Committee of the Council. This register should be used by any employee of the Council who accepts any gift, favour or hospitality made to them and accepted by them personally or on behalf of the Council and signed by the Director. Forms for registration of such hospitality are available from the Head of Legal and Democratic Services.
- 13.9 If the Employee believes that an improper motive exists concerning a gift or hospitality, the employee should report this immediately to the Director, who will in conjunction with the Chief Executive, decide an appropriate action e.g. withdrawal of business and/or referral to the police. The Director of Resources and Head of Legal and Democratic Services must be informed.

14. Sponsorship - Giving and Receiving

- 14.1 Where an outside organisation wishes to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily the basic conventions concerning acceptance of gifts and hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
- 14.2 Where the Authority wishes to sponsor an event or service neither the employee concerned, nor any partner, spouse or relative must benefit from such sponsorship in a direct way without their being full disclosure to the relevant Director of any such interest. Similarly where the Council through sponsorship, grant aid, financial or

other measures gives support in the community, employees should ensure that impartial advice is given and there is no conflict of interest involved.

15. Travelling and Subsistence

- 15.1 Employees must put in claims for travelling and subsistence only incurred in carrying out their duties on behalf of the Council.
- 15.2 Employees must submit a travelling and subsistence claim form in accordance with the Council's policy for each calendar month by the 10th day of the following month. Claims made for more than two months at one time may not be paid and will need authorisation by the Head of Service.
- 15.3 Employees must provide the appropriate VAT receipt in respect of any such claims.
- 15.4 The Council will not pay any claim for alcohol on any occasion.
- 15.5 Employees are required to declare on the appropriate forms for travelling and subsistence that such expenses have been incurred in carrying out their Council duties. If an employee submits a claim for expenses not reasonably incurred during the performance of their Council duties the employee may be the subject of a disciplinary investigation which may amount to gross misconduct. The matter may also be reported to the police, if appropriate.

16. Disciplinary

- 16.1 Employees should be aware that breaches of the Officer Code of Conduct and the Council's Financial and Contractual Regulations may result in disciplinary action being taken, and depending on the circumstances, may amount to gross misconduct.
- 16.2 This Code of Conduct neither supersedes the Council's disciplinary and grievance procedures, nor the provisions of the Local Government Conditions of Service, copies of which can be obtained from the Head of Human Resources.