

## EMPLOYEE CODE OF CONDUCT

The highest standards of conduct are expected from everyone who works for the council. The Employee Code of Conduct (the code) sets out the standards the council expects of all employees, irrespective of grade or role. The code is intended to provide guidelines which help maintain and improve standards of service as well as protecting employees from misunderstanding or criticism.

Every member of staff is responsible for working in a way that is consistent with the code of conduct set out below. If you are unsure about any part of the code you should get clarification from your line manager or from human resources.

If you supervise or line manage other employees you should make sure they know about and understand the code. If you supervise people who are not council employees, for example contractors, consultants, or temporary agency workers, you should make them aware of the code and that they need to meet these standards when working for the council.

Council employees are expected to uphold the values that underpin the council's work:

**People:** treating people fairly, with compassion, respect and dignity

**Excellence:** striving for excellence, and the appropriate quality of service, care and life in Herefordshire

**Openness:** being open, transparent and accountable

**Partnership:** working in partnership, and with all our diverse communities

**Listening:** actively listening to, understanding and taking into account people's views and needs

**Environment:** protecting and promoting our outstanding natural environment and heritage for the benefit of all.

## Standards of Conduct

The Standards of Conduct expected of each employee are: selflessness, integrity, accountability, openness, honesty, and leadership. Each one of these is expanded below.

### 1. Selflessness

#### 1.1 Taking reasonable action to keep yourself and others safe.

You are expected to adhere to the council's health, safety, wellbeing and equality policies, which can be found on the intranet.

#### 1.2 Demonstrating loyalty to the council.

There are things you can say or do that may be damaging to the council, not all of which can be listed here. If you do something which a reasonable person would consider to be disloyal to the council it may be a breach of the code and could lead to disciplinary action.

You may have legitimate roles to carry out, such as being a trade union representative. If you are engaged in such a role, please ensure you make it clear when you are acting in this

capacity rather than as an employee of the council. In this capacity you are expected to avoid personal opinions or make derogatory or slanderous remarks which may be damaging to the council.

### **1.3 Behaving in a way which is compatible with your role.**

You are expected to use your position, or information you gain from work, appropriately and not to the detriment of the council.

It is important that you let your line manager know if there is anything, or any change of circumstances, which prevents you from legally carrying out some or all of your duties. This could include for example: if you are banned from driving and this is part of your role; if you cease to be a member of a professional body where this is required for your role.

If criminal charges are brought against you or you receive any convictions, you must let your line manager know.

### **1.4 Using council resources wisely, demonstrating value for money.**

Securing value for money is a council priority. Before spending the council's money or deploying resources, you should ask yourself:

- Would I spend this money if it were my own?
- Is what is proposed affordable?
- Would this be spending money wisely?
- Am I authorised to spend this money?

If you are involved in contracts or purchasing or have budget management responsibility, please ensure that you are familiar with, and comply with, the relevant rules, including:

[Financial Procedure Rules](#)  
[Contracts Procedure Rules](#)

## **2. Integrity**

### **2.1 Using council facilities and resources appropriately**

This includes using council computers appropriately and responsibly, avoiding accessing or distributing inappropriate, offensive or political material. Material relating to private or personal interests should be accessed outside of work time and in accordance with council policies including:

Handling Information Personal Responsibilities policy  
Email usage policy.

### **2.2 Ensuring you comply with any legal requirements.**

Given the wide range of duties which council staff carry out it isn't possible to set out here the legal requirements for every role. If a piece of legislation is particularly relevant to your area of work, your manager will explain the requirements to you and it will be reflected in policies and procedures.

You will not be disciplined for refusing to do something which is a criminal offence.

### **2.3 Ensuring that public funds and assets, including information entrusted to you, are used in a responsible and lawful manner.**

You are expected to use public resources (such as funds, data and equipment) in a responsible and lawful way, in line with relevant council policies, including:  
Information governance policy

## **2.4 Using property, vehicles or other council facilities appropriately and only for personal use if authorised to do so.**

You are expected to make personal use of the council's facilities only if you do so as a member of the public, or if there is a scheme or policy in place which permits personal use.

Personal use includes using the facilities on behalf of any person, business or organisation other than the council, except as a legitimate part of your role with the council. For example:

If you work in a building where the public can use the photocopier for a charge and you pay the same fees as other members of the public, you can use the photocopier for personal use.

A permit or policy that allows you to use council facilities when carrying out your duties, such as a car park pass, should not be used for personal use.

## **2.5 Maintaining appropriate, professional relationships with children, young people or vulnerable adults who are service users.**

If you work in close contact with children and young people or vulnerable adults (or have access to information about them) you are expected to declare any personal relationships with those who access these services.

Personal relationships should be avoided with service users which involve:

- Financial affairs (including borrowing or lending money, or acting as an executor)
- Unprofessional emotional or physical interaction
- Any element of sexual interaction.

## **2.6 Using materials appropriately and respecting copyright** Anything you create as part of your job belongs to the council. This includes, but is not limited to, intellectual property, documents, photos, reports and computer programmes.

You are expected to uphold the council's copyright. In particular, the council holds copyright on its logo and other elements of the corporate identity. You should take care to uphold copyright by using the logo and/or corporate identity only for authorised purposes, and you are expected to respect any other persons or organisations intellectual property including their trademarks, copyrights, design rights or patents.

[Communications Support](#)

## **3. Objectivity**

### **3.1 Offering political advice only if your job specifically provides political advice.**

Unless you work in a role which specifically provides political advice, such as a political assistant, you should not be asked by any political group to provide political advice either in regard to the work of the group or of the council.

You are expected to seek permission from your manager before attending any political group meeting, or any meeting which is explicitly for members of one or more political parties, as an employee of the council.

### **3.2 Serving the council as a whole without political bias.**

You are expected to remain professionally neutral and not allow your own personal and/or political opinions and/or interests to interfere with your work. You are expected to follow reasonable instructions from your manager, as long as they are legal and do not breach any council policy, even if you do not personally agree with them.

As employees of the council, we serve all of the council's councillors, not just those of the controlling group.

You are expected to act at all times in accordance with the member and officer relations code in the council's constitution.

## **4 Accountability**

### **4.1 Being accountable to the council for your actions and decisions.**

You may be asked to explain any decisions or recommendations you make as part of your council duties.

### **4.2 Discharging your public functions reasonably.**

If you do something on behalf of the council, or make decisions on behalf of the council, this should comply with the principles of good decision making and the council's code of corporate governance.

### **4.3 Cooperating fully with any council investigations.**

You are expected to cooperate with reasonable instructions, including requests for information, issued as part of formal investigations.

Formal investigations include (but are not limited to):

- investigations conducted under the council's human resources policies;
- investigations conducted under the council's Anti-Fraud, Bribery and Corruption policy, or Whistleblowing policy;
- investigations undertaken by the council's statutory officers, internal or external auditors, ombudsmen or other inspection agency.

## **5 Openness**

### **5.1 Using and sharing information appropriately, having regard to data protection, the council's values, and the council's code of corporate governance.**

The law requires that certain types of information should be made available to councillors, auditors, government departments, service users and the public. The council may decide to be open about other types of information.

However, certain information should not be widely shared. You are expected to be aware of which information you are authorised to release and to who. If you have any doubts about whether information should be released, please speak with your manager.

You are expected to follow the relevant council policies, including:

Access to Information Rules

[Information Governance policies and procedures.](#)

### **5.2 Treating information with the appropriate level of confidentiality.**

You may have access to, or be given, sensitive or confidential information. You are expected to treat this information appropriately.

For example, if a councillor gives you information, or tells you something, which is not in the documents that the public would have access to, then you should only share that any further if the councillor gives permission, or if the law requires or allows you, to share the information.

## 6 Honesty

### 6.1 Using your official position or information acquired in the course of your employment appropriately and honestly.

You are expected to use your official position honestly, avoiding using information you gain from work which is not available to members of the public for personal gain or to further your personal interests of those of others.

### 6.2 Avoiding engagement or involvement in any bribery or corrupt activities or practices.

Under the Bribery Act 2010, it is a criminal offence to:

- offer a bribe to someone in the course of your duties
- solicit a bribe from someone (indicating that you are open to being bribed)
- accept a bribe from someone

If you commit any of these offences during the course of your employment it may amount to gross misconduct which may result in your dismissal without notice or pay in lieu of notice. There is more detail in the council's Anti-fraud, Bribery and Corruption Policy.

### 6.3 Being alert to and avoiding any reasonable suspicion of bribery, corruption and/or any reasonable perception of bribery and/or corruption

You are expected to avoid situations where your personal interests are so significant that they could be considered to be likely to prejudice your public interest / judgement.

A conflict of interests arises where doing what is best for the council in your role is not the same as doing what is best for you, or for a person or organisation you are associated with.

You are expected to comply with council policies and procedures on:

- Employee gifts and hospitality
- Employee outside interests
- Politically restricted posts

You will be required to make an annual return in regard to your personal interests, in addition to declaring any gifts and hospitality or interests as they arise.

You are expected to make decisions and give recommendations to decision makers fairly and objectively, avoiding situations where you have a conflict of interests. 'Decisions' include, but are not limited to, delegated decisions, employment decisions, and decisions about awarding contracts, allocating services, spending or receiving money.

You would be acting corruptly if you were to abuse your entrusted power for private gain:

- **Entrusted power** is the power or authority you have as an employee.
- **Abuse** is when you use your entrusted power wrongly. You would be using your entrusted power wrongly if you act in the best interests of someone (or something) other than the council.
- **Private gain** can mean financial gain, such as money, but also non-financial advantages, such as favours, gifts, or permission to do something someone would not otherwise be allowed to do. Something can be 'private gain' whether you gain directly, or another person or organisation gains.

For further details see the [Employee interests](#), Employee gifts and hospitality and Politically restricted posts policies

#### **6.4 Maintaining honest impressions with regards to your level of authority to speak on behalf of the council.**

You are expected to conduct yourself in a way that is honest and that would not give the impression that you are speaking for the council, or in the role of a council employee, unless you have been authorised to do so.

You are expected to only instruct contractors or suppliers, or enter into commitments on behalf of the council if you are authorised to do so and have the appropriate governance in place to support your actions.

### **7 Leadership**

#### **7.1 Dealing with the public, councillors and other employees fairly with compassion, respect and dignity.**

You are expected to ensure you are courteous, efficient and impartial, to all groups and individuals, treating everyone with fairness and equity.

It is essential to the way local government works that employees and councillors respect each other. You are expected to make sure you are aware of the guidance or protocols about relationships with councillors including.

- Close personal familiarity between employees and individual councillors can damage the relationship so should be avoided.
- If you have a pre-existing relationship with someone who becomes a councillor, or if you develop a close friendship or personal relationship with someone who you know or later discover, to be a councillor, then you should report this, as set out in the council's procedure on employee interests.
- If you are in a politically restricted post you should comply with the council's policy on politically restricted posts.

The council is an equal opportunities employer and is committed to:

- eliminating unlawful discrimination, harassment and victimisation
- advancing equality of opportunity
- fostering good relations within and between our communities with a view to building good community relations

You are expected to comply with equality policies and undertake mandatory training.

You are expected to pay due regard to the health, safety and wellbeing of staff you manage.

#### **7.2 Maintaining standards of dress and appearance which are appropriate to your role.**

You are expected to ensure that your standards of dress and your appearance are appropriate to the work that you do.

You are expected to wear any safety equipment (personal protective equipment) or uniform that is issued to you.

#### **7.3 Behaving appropriately when involved in tendering contracts and dealing with contractors.**

If you are involved in the tendering process, or dealing with contractors, you are expected to be clear on the separation of client and contractor roles within the council, and ensure that actions are in accordance with contract requirements. If you have both a client responsibility and a contractor responsibility, you are expected to be particularly aware of the need for accountability and openness.

Remember that you need to declare interests in contracts and personal relationships with contractors as set out in the council's procedures on employees outside interests.

If you are aware of confidential information on tenders or costs for either internal or external contractors, you should not disclose that information to any third party or organisation. If you are involved in awarding contracts, you are expected to ensure that no special favour is shown in awarding contracts including to businesses run by current (or former) employees, or by people they have a personal relationship with. You are also expected to ensure no special favour is shown to current (or former) employees, or to people they have a close personal relationship with, by employing them.

#### **7.4 Dealing with the media only if you are authorised to do so.**

The 'media' means any organisation or person who is concerned with reporting news, current affairs etc. regardless of whether that is through newspapers, television, radio, the internet or any other means.

The following people are authorised to deal with the media:

- The Chief Executive
- People who report directly to the Chief Executive
- Staff in the corporate communications team

You may only give reports, answer questions or speak to the media on matters relating to employment with the council, council business or decisions of the council, if you are specifically nominated and authorised to do so. This restriction applies under any circumstances where people could possibly think you are speaking as an employee of the council.

Further details can be found in the council policies:

[Corporate communications protocol](#)

#### **7.5 Following the guidance for contact with the media when speaking in the capacity of a trade union representative, in a personal capacity and/or in your capacity for other organisations.**

You may carry out roles outside of your council work such as official trade union work, or for example as a representative of a community action group or a tenant committee. These roles may involve you in taking part in public meetings, making statements to the media or posting on social media on behalf of your particular organisation.

You are expected to make clear the capacity in which you are speaking in public or dealing with the media, stating explicitly which organisation you are representing or that you are speaking in a 'personal capacity'. To avoid any misunderstanding, you are expected not to wear a council uniform or council ID badge if speaking to the media in a non-council capacity.

You are expected to take great care in presenting the facts to avoid statements which may be unreasonably critical of the council, derogatory or defamatory about council employees or members.

#### **7.6 Using social media appropriately**

You are expected to use social media appropriately and with regard to your employment with the council. Inappropriate comments made on social networking sites (whether you have enabled privacy settings or otherwise) about your employment with the council, the council at large or any employees or former employees of the council could amount to a breach of this code. You may face disciplinary action which could ultimately result in your dismissal.

## 8. Reporting wrong-doing

### 8.1 In following this code, you have a duty to report suspicions or knowledge of wrong-doing you become aware of

For example:

- activities which you believe to be illegal, improper, unethical or otherwise inconsistent with the code.
- anything which involves – or you think involves – irregularities concerning cash, stores, IT use, or other property of the council.
- any suspected irregularity in the exercise of the functions of the council, including unofficial funds.
- council employees or any other individuals being involved in potentially fraudulent or corrupt activities, or theft.
- the council failing to fulfil its statutory duties.

Further guidance is available in the council policies:

Whistleblowing policy

You should normally report matters to your manager, giving them enough detail to understand your concerns and to follow them up. You should not report suspicions of misconduct to anyone who you believe is (or is likely to be) involved in the alleged misconduct.

If you need to report something, but have a good reason not to report the matter to your line manager, you should tell one of the following people:

- A director (either your own director, or the one for the area where the breach may have occurred).
- The monitoring officer or the section 151 officer
- The Head of Internal Audit: [Jacqui Gooding, SWAP Internal Audit Services, jacqui.gooding@swapaudit.co.uk](#)

If this fails to resolve the situation, you can refer to the council's whistleblowing policy which contains more information on the protections offered to staff reporting legitimate concerns.

## 9. Following the employee code of conduct

If you do not understand any aspect of the code of conduct or the council's requirements, speak to your line manager.

If you are a line manager and the people you supervise behave in ways that are inconsistent with the code, you should consider taking action. You should ask your supervisor for guidance, or consider using another policy, for example the managing performance policy and procedure, to guide your response.

If you fail to follow the code you may be referred into formal policies and procedures, including:

[Procedure Where Performance, Conduct or Behaviour Falls Below Expected Standards](#)  
[Disciplinary Procedure.](#)

Depending on the circumstances, including the seriousness of any breach of the code, a potential outcome of disciplinary action could be dismissal.