

CODE OF CONDUCT POLICY

Prepared by: Human Resources

Date:

For review:

<u>CONTENTS</u>	PAGE
SECTION 1: GENERAL GUIDING PRINCIPLES	
Policy statement	3
Scope	3
Principles	3
SECTION 2: PROCEDURE	
Standards of behaviour	4
Political neutrality	4
Social media	5
Use of e-mail	5
Internet usage	6
Personal devices	6
Gifts and hospitality	6
Secondary employment	6
Fitness for duty	7
Conflict/ disclosure of personal interests	7
Criminal charges	8
Disclosure of information	8
Dress	9
Personal relationships	9
Off duty	9
Personal use of council equipment	10
Performance of duties	10
Timekeeping	10
Reporting of complaints or incidents	10
Health & safety	11
Support and guidance	11

SECTION 1: GENERAL GUIDING PRINCIPLES

POLICY STATEMENT

The public is entitled to expect the highest standards of conduct and behaviour from all employees who work in local government. The role of local government employees is to support the council in achieving its objectives, developing and implementing policies and delivering services to the local community.

The code of conduct describes minimum expected standards that protect the integrity of both employees and the council; underpinning the code of conduct is a set of values that are vital to the council's success. The values help us to maintain and improve how we work with each other, our partners and customers.

The council has four values that underpin the code of conduct and standards expected from employees: -:

- *Customer focused*: Delivering great customer service, meeting customer needs
- *Can do*: Striving to make a difference by adopting a positive attitude
- *One council, one team*: Proud of what we do, working together for the greater good
- *Honesty and respect*: Embracing diversity and treating everyone fairly.

SCOPE

The policy shall apply to all council employees which includes work experience placements and those on working on behalf of the council e.g. contractors, consultants, agency staff and volunteers.

PRINCIPLES

The code of conduct translates the values into standards and behaviours which employees are required to demonstrate whilst performing their duties. It also provides safeguards for employees and gives them mechanisms by which they are able to provide a professional service of which they and the council can be proud, whilst creating a respectful and positive working environment.

The code of conduct provides clear guidance to ensure that employees are aware of their responsibilities in relation to conduct and behaviour and the consequences of failing to observe those responsibilities.

This code of conduct forms part of every employee's contract of employment and all employees should read and understand this code. Breaches of the code of conduct will lead to an investigation, the results of which may lead to disciplinary action and, if serious, could lead to dismissal.

The 7 principles of public life, known as the **Nolan principles**, apply to anyone who works as a public office-holder. This includes people who are elected or appointed to

public office, nationally and locally, and all people appointed to work in local government. The 7 principles are:

1. **Selflessness** - holders of public office should act solely in terms of the public interest.
2. **Integrity** - holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
3. **Objectivity** - holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
4. **Accountability** - holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
5. **Openness** - holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
6. **Honesty** - holders of public office should be truthful.
7. **Leadership** - holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

SECTION 2: PROCEDURE

Standards of behaviour

The council expects certain standards of behaviour from its employees. You should ensure that:

- You treat colleagues, customers and members of the public with dignity and respect;
- You are committed to delivering quality services at all times working within the council's policies and procedures;
- You communicate openly and honestly with colleagues;
- You carry out your duties in the best interests of our customers and the council;
- Your conduct is not discriminatory to others;
- You do not use offensive or abusive language or behaviour;
- You do not use your council position to influence or benefit yourself, family or friends from the provision of council services.
- You arrive for work punctually, appropriately dressed and fit to carry out your duties (this includes wearing your identity badge and items of personal protective clothing that are supplied to you);
- You take reasonable care of your own health and safety and others that may be affected by your work activities.

Political neutrality

As a council employee, you service the council as a whole. You must serve all councillors not just the controlling group and make sure you respect their individual rights and follow the protocol on member/officer relations. You must not allow your

personal or political opinions to interfere with your work or your behaviour as a council employee.

The council is required by the Local Government and Housing Act 1989 to maintain a list of politically restricted posts. If you are employed in a restricted post you will have been notified of this in your contract of employment which prevents you from having any active political role either in or outside the workplace. It means you are disqualified from being elected or holding office as a member of this council. You are also disqualified from standing or holding office with this council if you hold any paid office or employment with a local or joint authority on which this council is represented.

Social media

Social media websites are useful tools for communicating and engaging with the public. You must make sure that your use of, and participation in, social media websites does not bring the council into disrepute, or breach their obligations under relevant legislation or council policies. While this media has many benefits it also presents risks to you and the council, particularly due to its widespread use outside of work and the fact that social media can blur the boundary between work and personal life.

You should take care to use social media, whether for work purposes or personal use, in a manner that is consistent with the terms and conditions of your employment e.g. you should not post content that breaches confidentiality, contains inappropriate comments about colleagues or customers, is abusive or hateful or would potentially cause embarrassment or detrimentally affect the reputation of the council. In addition, where appropriate, you should identify that any views expressed are your own and not those of their employer. You should think carefully about what you publish even outside of work because inappropriate use could lead to disciplinary action.

You are also reminded of the expected behaviours required when posting on aspire and other public forums and that you agree to the following rules:

- Contributions must not be inappropriate e.g. must not be abusive, offensive, harassing, defamatory, threatening, obscene, profane, sexually orientated, unlawful, an invasion of someone's privacy or in breach of any council policy.
- Please respect others: read what you write before you post it and think if anyone else could misinterpret it and find it offensive or of a personal nature.

Please refer to the policy on use of ICT by employees for further information which contains detailed provisions on the use of the council's ICT facilities for both council related activities and personal use and the standards of behaviour expected from employees in relation to their use. Failure to adhere to such guidance may result in the individual being subject to disciplinary procedures.

Use of e-mail

Council e-mail accounts should only be used for work-related correspondence and you should follow the policy on use of ICT by employees. You should be aware that the sending/exchanging of excessive numbers of personal e-mails during working

time is not acceptable and may be dealt with under the council's disciplinary procedure. You may not use council e-mail for personal commercial purposes e.g. e-bay, or the supply of goods and services.

Internet usage

You should only access sites or services that are appropriate to your work, occasional personal use in your own time is permitted, but such use should be minimal and in no way infringe upon work time. You should be aware that excessive use of the internet for personal purposes may be dealt with under the council's disciplinary procedure.

The council does not allow its equipment to be used for intentionally accessing information of an unlawful, unethical and/or degrading nature, (e.g. pornography, paedophilia or terrorism). You should be aware that accessing such inappropriate information could constitute gross misconduct and therefore place your employment at risk.

Personal devices

All personal devices e.g. mobile phones, tablets are the responsibility of the employee when on council property and working in designated customer service areas. Employees should not have their phones on them whilst in customer service areas, they should be kept with other personal items eg handbag. Employees must be mindful of moderation of tone, volume and language when using mobile phones on council premises.

It is an offence under the Road Traffic Act to use a handheld mobile phone whilst driving. Using a handheld mobile phone whilst driving on council business is not permitted.

Gifts and hospitality

You must not compromise your position by appearing to accept, or accepting gifts/hospitality which might be considered by others to have influenced your decisions or actions on behalf of the council.

You may accept 'token' gifts from customers or contractors e.g. calendars, diaries, pens or chocolates. In no circumstances should you accept a monetary gift, (including gift vouchers).

You should only accept hospitality e.g. meals / refreshments, if there is a genuine need to impart information or to represent the council. You should also ensure that accepting the hospitality does not create a conflict of interest and is not likely to cause embarrassment to the council.

You should report the offer of gifts or hospitality, whether accepted or not, to your line manager at the earliest opportunity.

Secondary employment

An employee who wishes to take another job, before commencing the second job, has an obligation to declare details of the secondary employment to their line

manager.

The council reserves the right, at any time, to discuss the situation if, in the line manager's reasonable view, the second job is having an adverse impact on the employee's performance, attendance, timekeeping or any other aspect of the employee's employment with the council. . Please refer to the policy on secondary employment for further details.

Employees are required to comply with the Working Time Regulations, including declaration of hours worked, breaks taken and taking of annual leave. Employees also have a duty to report any instances where their working pattern may result in a health and safety risk, either to themselves or others. For example an employee working a day shift with the council who then goes on to work a night shift with another employer. Employees have the right not to be subjected to any unlawful detriment by reporting any concerns under the regulations.

Fitness for duty

Matters of employee sickness absence are dealt with in line with the Managing Attendance Policy however you should not present yourself for duty in an unfit state (e.g. through alcohol or drugs) and should remain in a fit state while on duty. Please refer to the drug and alcohol misuse policy for further details.

Drinking alcohol whilst on duty and the taking of recreational drugs for non-medicinal purposes is strictly prohibited. Only medication prescribed by your GP or purchased over the counter may be taken. You must make sure that you are fit for duty if on call or about to start work. You must be mindful of the effect your behaviour will have on the reputation of the council and disciplinary action will be taken against you if your ability is impaired by alcohol or drugs whilst on duty.

You have a duty to inform your line manager if you are taking any medication which interferes with the safe performance of your role. Your manager will then decide after discussion with yourself, and if necessary in consultation with Occupational Health, what work can safely be undertaken with due regard to your welfare.

You also have a duty to inform your doctor, if you drive or work with dangerous machinery, when they are prescribing medication. You should also refrain from over medicating while at work or if you are about to start work, with either prescribed or over the counter medicines by exceeding the recommended dosage.

You must report any concerns you may have about a colleague's or any other employee's fitness for duty to their manager. Such reports will be treated confidentially and the manager will take appropriate action.

Conflict/disclosure of personal interests

You must not allow personal interests to conflict with the council's business and you must not use your council position, facilities or equipment to benefit yourself, family, friends or a private company/interest.

You must register with your line manager any interest you/your spouse/partner has which may conflict with the council's interest. This includes any employment by,

substantial shareholding in or membership of any external company or body which has, or may enter into a contractual relationship with the council or which is involved in campaigning or lobbying in respect of any council activity.

The same principles apply to work carried out through partnership arrangements. If you are involved in any type of partnership working with other agencies/companies and there appears to be a potential conflict of interest, you must also register this as described above.

Disclosure must be made as soon as it becomes evident there is or may be a conflict of interest. It may come to light in processes such as recruitment, tendering or during committee meetings. It must be declared immediately if you, a relative or friend has, or could be perceived as having, a personal interest in the process. Arrangements should be made to protect both the council and the employee's position.

You must also declare membership of any organisation not open to the public, which requires allegiance and which has secrecy about rules, membership or conduct.

Criminal charges

You are responsible for informing your line manager immediately if you are charged, subject to legal proceedings or receive any criminal convictions and / or police cautions while employed by the council. Failure to do this will be dealt with in accordance with the council's disciplinary policy.

The council may take action against you if you are convicted of, or receive a caution for a criminal offence that involves one of the following types of behaviour:

- Violence
- Abuse including domestic abuse
- Sexual misconduct including being subject to sex offender/ sexual harm notification requirements and sexual risk orders
- Supplying and manufacturing drugs
- Drink-driving offences
- Fraud, corruption or bribery
- Serious offences involving dishonesty
- Hate crime
- Any serious criminal offences for which you receive a prison sentence.

You must not do anything in your personal conduct that may affect the public's confidence in you as an employee of the council or potentially bring the council into disrepute if it were to be in the public domain.

Disclosure of information

All employees have an absolute duty to respect the confidentiality, integrity and availability of information they have access to in the course of their duties. This duty includes the legal obligations to comply with the Data Protection Act 1998, General Data Protection Regulation 2016 and the Freedom of Information Act 2000. Further advice and guidance can be found in the Data Protection policy.

Dress

The council does not have a formal dress code. Employees who are required to wear a uniform or protective clothing to perform their duties will be provided with what is required and must wear this as instructed. Cultural dress is encouraged providing it does not become a health and safety risk within the working environment.

You should be mindful that the way you present yourself may reflect upon the council's reputation. You must dress in a manner that is appropriate to your role and has due regard to social acceptability, tidiness and personal hygiene.

Personal relationships

You must not be involved in making decisions that directly affect your family, friends or anyone with whom you have a close personal relationship; for example, recruitment and selection processes, disciplinary processes, decisions relating to pay, or tender procedures.

Councillors

Mutual respect between employees and councillors is essential. Close personal relationships between employees and individual councillors can damage this respect and prove embarrassing to other employees and councillors and should therefore be avoided.

Customers

Employees in close contact with vulnerable customers must maintain professional relationships at all times. Appropriate boundaries should be made clear from the outset whilst being sensitive to the customer's personal history and how that might affect the relationship. If you are working with children and vulnerable adults please refer to the Safeguarding children and vulnerable adults policy and procedures.

Employees

During recruitment, candidates are required to declare any personal relationships they have with councillors or employees. You must inform your line manager immediately if you identify an applicant that you have, or could be seen to have, a close personal relationship with. Alternative management arrangements will be put in place, where possible, if a candidate is appointed who should be managed by, or will manage, a relative or someone with a close personal relationship.

Close relationships that develop during the course of employment between employees must be declared by both parties to their manager. Alternative working arrangements will be put in place if it is likely to cause a conflict of interest.

Contractors/ third party

If you are dealing with a contractor/ third party with whom you have previously had or currently have a close personal relationship, you should declare that relationship to your manager.

Off duty

Employees must not undermine public confidence in the council in any way. This means your behaviour, both in and out of work, must not jeopardise your employment, undermine the trust placed in you as a council employee or bring the council into disrepute. Although when you are off duty what you do is your personal concern, you must not allow work and

private interests to conflict.

Personal use of council equipment

The council provides work equipment for employees to use to carry out their duties. You must not use council facilities, equipment or vehicles for your own personal use unless you have been given advance approval.

You are responsible for the safekeeping and proper use of any equipment issued to you and must take reasonable steps to protect it from theft or damage e.g. do not leave equipment visible in an unattended car.

You are also responsible for ensuring that you process all information in accordance with the council's policies and that all confidential information is kept secure.

Performance of duties

You are expected to achieve an acceptable level of performance of work in accordance with the requirements of your job, your contract, relevant work schedules and your hours. You are expected to comply with all procedures covering the work you undertake and not obstruct efficient working.

You must comply with all reasonable instructions from your manager. You have a right, and indeed an obligation, to seek clarification or question an instruction in an appropriate circumstance, but, having received clarification and/or confirmation of the instruction, you should follow the instruction as required by your manager. Any lingering concerns should be raised with a more senior manager.

This does not mean, however, that you would be expected to act in contravention of your statutory duties or professional codes and any apparent disagreement between a given instruction and a statutory duty or a professional code should be raised immediately with a more senior manager.

Timekeeping

You are expected to comply with your starting and finishing time, including those for breaks. Repeated lateness without legitimate and acceptable reason is not acceptable and will be dealt with in accordance with the disciplinary policy.

If you have a recognised agreement with your manager then flexible working arrangements may be in place. The details of such arrangements will be confirmed specifically and documented by your manager. You are expected to act responsibly regarding any flexible working arrangements and not to abuse them. Flexible working arrangements will be reviewed regularly and they may need to change if the service necessitates the arrangement changing. Please refer to the flexible working policy for further details.

Reporting of complaints or incidents

You are required to report in a timely manner any complaints about service delivery, any incident of unacceptable behaviour towards the public/ employees or malpractice which have been noted, reported or alleged. This includes concerns relating to safeguarding children and vulnerable adults. You should refer to the confidential reporting 'whistleblowing' policy, if appropriate.

Employees are required to assist in any investigations of any complaint, disciplinary, and/or criminal investigations, this may include attending meetings/hearings, giving evidence or providing written statements.

Any behaviour or actions, which hinder or delay investigations, will themselves be investigated and may result in disciplinary proceedings.

Health & Safety

All employees have the responsibility to ensure that they take constant care in their work of the health, safety and welfare of themselves and others who may come into contact with them, or be affected by them, or their work, and that they do nothing to put this at risk. All employees have a duty to comply with the provisions of the corporate health & safety policy.

You are required to know, and to follow meticulously, general procedures such as the fire procedure, manual handling loads and the accident reporting procedure, and any other specific procedure relating to your work (e.g. procedures for safe handling of equipment, wearing of protective clothing and equipment such as masks or goggles, reporting notifiable diseases, reporting hazards, isolating and handling dangerous equipment, warning work in progress, hygiene etc.). Employees are personally responsible for ensuring that their practice is in accordance with the procedures laid down by the council. All employees have a responsibility for ensuring that incidents are reported in a correct and timely manner.

Support and guidance

Further support and guidance on the code of conduct are available from your manager or HR.