

## Employees' Code of Conduct

### 1. General

- 1.1 The public is entitled to expect conduct of the highest standard from local authority employees. Public confidence in the integrity of the service would be shaken if there were the least suspicion that employees could be influenced by improper motives. Do not do anything which you could not justify in public. It is not enough to avoid actual impropriety; you should at all times avoid any cause for suspicion or the appearance of improper conduct.
- 1.2 Employees' off-duty hours are their own personal concern but care should be taken to ensure that there is never any conflict between official duties and private interests. Employees are not prevented from undertaking additional employment but must ensure that this does not conflict with the Council's interests or weaken public confidence in the conduct of the Council's business. For example, whilst an employee engaged in Development or Building Control work may help a prospective developer to submit an application for Planning or Building Regulation approval to another Local Authority, it would be unwise for such an individual to deal directly with this authority and a serious breach of conduct to both submit and check their own plans.
- 1.3 Additionally, employees graded above Scale 6 must seek approval from their Head of Service before engaging in other business or taking up additional appointments.

### 2. Gifts and Hospitality

- 2.1 The entertainment of clients or customers as it is commonly and reasonably offered by many contractors and consultants is not unacceptable. However, offers of gifts, favour and hospitality should always be treated with **extreme** caution. **If such gifts, favours or hospitality could be reasonably perceived as forms of inducement to favour the purchase of a particular product/service, award of contract etc., then it could expose you or the Council to criticism or comment and you should therefore tactfully but firmly refuse the offer.**
- 2.2 The timing of the approach (while negotiations are in progress or after a contract has been awarded) will be relevant and the offer of even minor gifts on a **regular** basis should be treated with circumspection in case the wrong interpretation could be placed upon it.
- 2.3 Acceptance of any gift etc. which could reasonably be viewed as an inducement would be a criminal offence. It may be reasonable to accept:

Gifts of a promotional character (e.g. calendars, diaries) which are obviously of low (i.e. less than £10) monetary value and carry a promotional logo/inscription etc.

Gifts, on the conclusion of any visit, of a sort which could not be misinterpreted. (There are no strict rules on this but regard should be given to the nature and commercial value of any gift, any perceived intrinsic value or re-sale value. **If in doubt, refuse.**)

Working lunches, refreshments offered at demonstrations of equipment or business meetings which could not be reasonably arranged at any other time and where the hospitality is merely incidental to the business activities and not vice versa.

- 2.4 If employees are in any doubt concerning such offers, they should inform their Head of Service (or Manager) in advance, where feasible, and seek advice. A book will be available in each Department to record the acceptance of a gift, favour or hospitality, and this **must** be completed promptly by the employees concerned. (**NB** It is not necessary to record gifts of a promotional nature which are of low value, and where the offer is not open to misrepresentation).
- 2.5 Invitations to meals or functions of a social or festive nature should not be accepted if any ulterior motive could reasonably be attributed to the invitation. Before accepting any invitation of this kind, the circumstances should be reported to the Head of Service and details recorded in the book kept for that purpose.
- 2.6 In **offering** hospitality, employees should aim for reasonableness whilst using sensible judgement according to the nature of the occasion. Employees should be able to justify the arrangements they have made as being in the interests of the authority as a whole. For example, (a) when a meeting cannot be held as part of normal daily Council business; (b) when visitors have had to make a special journey.
- 2.7 Employees concerned with purchasing or the award of official contracts should not divulge their private address to contractors nor should they become overly familiar with contractors or their employees. This includes normal social contact as well as contact during business hours and such employees should exercise considerable discretion when in the public eye to avoid any misinterpretation of their behaviour in this context.
- Under no circumstances should an employee make use of contractors' services on terms any different from those available to the general public or other Council employees.
- 2.8 It is a criminal offence to demand or accept any gift or reward in return for an employee allowing himself or herself to be influenced by any person seeking to obtain a contract from the Council. In such cases, the burden of proof rests with the employee to show that it was not corruptly given.
- 2.9 Any employee who knowingly accepts a gift or favour from a contractor or other person seeking dealings with the Council will be liable to summary dismissal. If an employee has any doubt about accepting a gift or service, the circumstances should be reported to the Head of Service. If an employee

receives an unsolicited gift or believes that a person is otherwise attempting to influence him or her, the Head of Service should be informed immediately.

### **3. Other Inducements**

- 3.1 Employees should be on their guard against other approaches which suppliers or contractors may adopt in order to gain the approval of the Council or unofficial sponsorship. For example, new types of food or other new products offered free or at reduced prices, or free gifts for the officer placing orders where promotional gifts are offered.

### **4. Legacies**

- 4.1 Employees who have worked closely with individual members of the public (e.g. Wardens of Sheltered Accommodation and Social Services employees) may find that they have been remembered in the wills of people whom they have looked after. Save for employees in Social Services, employees are not forbidden from accepting legacies but should remember that the acceptance of such may be open to misinterpretation. In this context, employees should, therefore, always attempt to provide the same level of service for **all** members of the public in accordance with Council policy. If an employee becomes aware of an intended legacy, the circumstances should be discussed with the Head of Service.

### **5. Access to Confidential Information**

- 5.1 There is a fundamental duty on all employees not to use information they have access to at work to further their private interests or those of their relations and friends. Deliberate exploitation of confidential information will be regarded as a serious offence which may warrant summary dismissal. For example, an employee buys land or property knowing through his or her work that its value is likely to increase. Considerable discretion should also be exercised when discussing work activities in a social context in case information is divulged which could benefit another party.
- 5.2 Employees must not divulge information concerning other employees' private affairs to any other person unless the consent of that employee is first obtained or the law permits that information to be divulged in the particular circumstances.

### **6. Register of Interests**

- 6.1 It is not compulsory for employees to register all their business interests outside the authority. In accordance with the provisions of the Local Government Act, employees must inform the Chief Executive and Head of Service in writing if they 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 should also

identify a spouse, relative or regular associate who might have a legitimate interest in bidding for council work. Relevant business interests, as defined above, should be recorded in the register kept for this purpose.

- 6.2 Employees should also inform the Chief Executive and their Head of Service in writing where they are involved either as an individual or as a partner in a business or as a director of a limited 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, whichever is the lesser. Friendship or membership of an Association or Society could also influence your judgement and should be treated in the same way. If employees are in doubt as to what interests they need to declare they should seek guidance from their Head of Service.

## **7. Appointment and other Employment Matters**

- 7.1 Employees may be seen to have an interest in the appointment of relatives. For this reason, applicants are required to declare any relationship to senior employees. Likewise, senior employees should make known any relationship known to exist with a candidate for employment of which they are aware.
- 7.2 Although the Council operates an Equal Opportunities policy in respect of recruitment, there will inevitably be times when a successful candidate is related to a senior employee. Provided these principles are followed (which also apply to relationships with Members), no claims of favouritism are likely to succeed but employees should **not** be directly involved in the appointment of relatives.

## **8. Publications, Broadcasts and Lectures**

- 8.1 On occasions where employees are interviewed by the media or agree to give lectures in connection with their official duties they may retain any fees awarded to them subject to the agreement of the Council. Heads of Service should be consulted on any intended lecture or publication in the press or other media which is connected with their official duties.
- 8.2 Employees are not prevented from publishing articles or giving lectures in connection with their professions or upon which they have specialised knowledge where they are not acting in an official capacity. In such instances, however, they should make clear that the views expressed are their own and that they do not necessarily represent Council policy.
- 8.3 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.

## **9. Public Office**

- 9.1 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 dealt with in the Handbook of Local Agreements and Procedures.
- 9.2 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 embarrass either the Authority represented or the employing Authority.

## **10. Political Activities**

- 10.1 "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 will be restricted if they are deemed to occupy Politically Restricted Posts.
- 10.2 An employee who proposes to engage in political activities should give particular attention to Paragraphs 1.2, 8.3 and 9.2 and to the general intent of this Code. Employees at 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.

## **11. Use of Council Facilities**

- 11.1 Employees must make sure that any facilities such as transport, publicity or secretarial facilities provided by the Council for use in their official duties are used strictly for those duties and for no other purpose.

## **12. Breaches of this Code**

- 12.1 Employees who breach the Code of Practice on Official Conduct may be liable to disciplinary action in accordance with established procedures. The penalty imposed will depend upon the nature of the action but serious breaches may be regarded as gross misconduct resulting in summary dismissal.