

OFFICERS' CODE OF CONDUCT

CODE OF CONDUCT FOR EMPLOYEES

I. INTRODUCTION

- 1.1 The Council believes that its activities demand the highest standards of confidence of the public and that this confidence will derive from the way in which the Council and its employees conduct themselves in undertaking its business.
- 1.2 It is, therefore, important for the Council to provide guidance on standards of conduct which is available to, and understood by staff at all levels, and this Code of Conduct has been prepared accordingly. Where examples are listed in the Code as guidance they are not intended to be exhaustive.
- 1.3 The Code is additional to appropriate statutes, sections of the National Scheme of Conditions of Service, the Council's Procedure Rules and Financial Regulations and any departmental rules of conduct that may be issued from time to time by chief officers.
- 1.4 The Code applies to all employees of Charnwood Borough Council and is incorporated into, and forms part of the contractual relationship between the Council and its employees. As such, it can be used in any proceedings under the Council's disciplinary and grievance procedures.

2. STANDARDS

- 2.1 All 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 councillors and fellow employees with impartiality. All employees are expected to treat others with respect at all times.
- 2.2 Mutual respect between employees and councillors is essential to good working relationships. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors and should therefore be avoided.
- 2.3 Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the Council.
- 2.4 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.

2.5 Employees should deal with all matters with a level of competence appropriate to their role and in accordance with any professional codes of conduct which apply to them.

2.6 Employees who have serious and genuine concerns about any wrongdoing in the Council's work or decisions, should raise their concerns by specific reference to the Council's Whistleblowing Policy, without fear of harassment or victimisation.

2.7 **Equality Issues**

All employees should ensure that Council policies relating to equality issues in employment and service delivery are complied with, in addition to 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.

2.8 **Dress and personal appearance at work**

Employees are reminded that standards of dress, personal appearance and hygiene, including standards required in the interests of health and safety, can be matters affecting public confidence and they should therefore make themselves aware of and comply with the expected standards for their particular employment.

3. **DISCLOSURE OF INFORMATION**

3.1 Employees must respect the confidentiality of any information they are given. Managers and supervisors should make themselves and their staff aware where information they come into contact with in the course of their employment is confidential. Employees should not prevent another person from gaining access to information to which that person is entitled by law.

3.2 Any information received by an employee from a councillor which is personal to that councillor and does not belong to the Council should not be divulged by that employee without the prior approval of that councillor, except where such disclosure is required or sanctioned by the law.

3.3 All information contained in personal data relating to members of the public and employees must be obtained, held and processed fairly and lawfully in accordance with the purposes of the Data Protection Act 1998 and must not be used or disclosed in any manner incompatible with that Act.

- 3.4 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.
- 3.5 Employees should not contact the media or disclose information relating to the work of the Council to the media other than as part of their job or as an official spokesperson of the Council.

4. POLITICAL NEUTRALITY

- 4.1 Employees serve the Council as a whole but recognise the differences between the Council's functions and particularly the role of the Cabinet. They must, therefore, serve all councillors and not just those of the controlling group, and must ensure that the individual rights of all councillors are respected.
- 4.2 Subject to the Council's conventions, employees may also be required to advise political groups. They must do so in ways which do not compromise their political neutrality.
- 4.3 Employees, whether or not in a politically restricted post, must not allow their own personal or political opinions to interfere with their work.
- 4.4 Political assistants appointed on fixed term contracts in accordance with the Local Government and Housing Act 1989 are exempt from the standards set in paragraphs 4.1 to 4.3.

5. APPOINTMENT AND OTHER EMPLOYMENT MATTERS

- 5.1 Employees involved in appointment and promotions should ensure that these are made in accordance with the Council's Equal Opportunities Policy and Procedures on the basis of merit. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her, or seek to influence an appointment or promotion for any purpose.
- 5.2 Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner or close friend.
- 5.3 Employees should not approach members on matters to do with reorganisations, their terms and conditions of employment or other employment matters except through procedures laid down in the employee handbook or agreed by the Head of Paid Service.

6. OUTSIDE COMMITMENTS

- 6.1 All employees should be clear about their contractual obligations and should not engage in any other business or take outside employment which conflicts with the Council's interests, for example, working with or for someone who does business or seeks to do business with the Council or obtain grants, consents or permits from the Council.
- 6.2 Officers on administrative, professional or technical grades above Scale 6 must not engage in any other business, such as any paid or unpaid employment or running a business, or take up any other additional appointment, without first receiving the express consent in writing of the Chief Executive.
- 6.3 The Council will not attempt to preclude any of its employees from engaging in any other businesses or from undertaking additional employment but any such employment must not, in the Council's view, conflict with or react detrimentally to the Authority's interests, or in any way weaken public confidence in the conduct of the Authority's business.
- 6.4 Employees should not use the Council's premises, facilities and other resources in connection with their outside commitments.

7. PERSONAL INTERESTS

- 7.1 Employees must declare in writing to their chief officer and also to the Chief Executive for recording in the Register of Interests, any non-financial interest that they consider could bring about conflict with the Authority's interests. For example:
 - membership of another local authority with which the Council deals regularly
 - membership of any voluntary organisation, club or society that regularly seeks assistance from the council or to which the Council appoints representatives
 - membership of any organisation (other than a political party or a trade union) which seeks to influence the Council's policies and decisions.
- 7.2 Employees must declare in writing to their chief officer and also to the Chief Executive for recording in the Register of Interests, any financial interests which could conflict with the authority's interests. For example, employees should disclose any land, other than their home, or business in which they have an interest which is to be, or likely to be, the subject of a Council decision.
- 7.3 In addition, Section 117 of the Local Government Act 1972 requires employees to make a formal declaration about any contracts with the

Council in which they or their partner have a pecuniary interest. This includes being employed by or receiving any kind of remuneration from a firm which has a contract with the Council. Such declarations should be made in writing to their chief officer and the Chief Executive. It is a criminal offence to fail to comply with the provision. The only exception to the legal requirement to disclose a pecuniary interest, is where the interest is so distant or small that no reasonable person would expect it to influence an employee who might have dealings with the firm concerned. In such cases it need not be disclosed.

- 7.4 Employees should declare in writing to their chief officer and also to the Chief Executive membership of any organisation which requires a commitment of allegiance and which is secretive about its rules, membership or conduct.

8. INVOLVEMENT IN CONTRACTS

- 8.1 Orders and contracts must be awarded on merit by fair competition against other tenders, in accordance with the Council's Financial Regulations and Contracts Procedure Rules. No special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against in awarding contracts.
- 8.2 Employees who are privy to confidential information on tenders or costs for contractors should not disclose that information to any unauthorised party or organisation.
- 8.3 Employees who engage or supervise contractors or have any other official relationships with contractors and have previously had or currently have a relationship in a business or personal capacity with contractors or potential contractors, should declare that relationship in writing to their chief officer and also to the Chief Executive for recording in the Register of Interests.
- 8.4 Employees in their official relationships with contractors and potential contractors should not conduct themselves in such a manner so as to convey that they are in a position of giving special favour, or in their dealings conduct themselves so as to directly or indirectly canvass or infer that they seek a gift, loan, fee, reward or advantage, or any offer of such.

9. GIFTS AND HOSPITALITY

- 9.1 Employees must be aware that it is a serious criminal offence for them 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. Employees should advise their chief officer at the earliest opportunity of any such approach which is made to them.

Hospitality

- 9.2 Employees should only accept offers of hospitality if there is a genuine need to represent the Council. Offers to attend purely social or sporting functions should not be accepted unless there is a reasonable expectation for the Council to be represented. The acceptance of hospitality should be properly authorised in advance, formally accepted and registered, by informing the employee's chief officer and the Chief Executive. Hospitality should be registered within 28 days of its acceptance.
- 9.3 When receiving authorised hospitality employees should be particularly sensitive as to its timing in relation to decisions which the Authority may be taking affecting those providing the hospitality. Employees should not accept hospitality, entertainment or working lunches from contractors and outside suppliers or people or organisations subject to decisions by the Council, such as environmental health, licensing and development control. Where visits to suppliers are required, employees should ensure that the Council meets the employees' costs of such visits rather than accept hospitality from suppliers.
- 9.4 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal and where the Authority is satisfied that any purchasing decision is not compromised. In those circumstances, employees are not required to register the hospitality.

Gifts

- 9.5 Employees should not accept personal gifts from contractors and outside suppliers or people or organisations subject to decisions by the Council, with the exception of items of token value such as pens, and diaries. It is a criminal offence for employees to receive any payment or reward in connection with their employment other than that received from their employer.
- 9.6 Each employee is personally responsible for decisions regarding the acceptance of hospitality or gift items. If there is any doubt such items should be refused and employees should seek advice from a more senior member of management or the chief officer.
- 9.7 Employees must register any gift of other than token value which cannot be politely refused by disclosing receipt of it to their chief officer and the Chief Executive. Registrations of gifts should be made within 28 days of their receipt.

Sponsorship – giving and receiving

- 9.8 Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender, negotiation or

voluntarily, the requirements of this Code concerning the acceptance of gifts or hospitality apply. Particular care must be taken when contractors or potential contractors are potential sponsors to avoid the appearance that providing sponsorship is linked to the awarding of any contract.

- 9.9 Where the Council wishes to sponsor an event or service or where the Council through sponsorship, grant aid, financial or other means, gives support in the community, employees must follow the requirements of this Code concerning conflicts of interest.