



Template employee code

17 February 2016

The [XXXXXXXXXX] Council Code

Issued by HR

If you require this information in another format, please go to the end of this document for details.

The public expects the highest standards of conduct and service from all employees of [XXXXXXXXXX] Council.

This Code lays down guidelines for the conduct of [XXXXXXXXXX] Council employees which maintain standards and protects employees from misunderstanding or criticism.

It refers to statements and requirements contained within schemes of Conditions of Service, [XXXXXXXXXX] Council Financial Regulations and other documents. Copies of these are available through your line manager.

This Code forms part of all [XXXXXXXXXX] Council employees' conditions of service. It is your responsibility to read and apply the standards set out in this and related documents including professional codes, policies and guidance. Any employee deliberately or knowingly acting outside the standards will be subject to disciplinary action.

A. Standards of Service

1. You will provide appropriate advice to Councillors, work colleagues and the public with impartiality.
2. You will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of management any irregularity in the provision of service.
3. In accordance with financial procedures, if an irregularity occurs or is suspected which may involve financial loss, you must report it immediately to the Chief Internal Auditor.
4. As a [XXXXXXXXXX] Council employee you are expected to behave at all times in a manner that does not discriminate against your colleagues, service users, partners, contractors or members of the public on any grounds.
5. Complaints against [XXXXXXXXXX] Council should be investigated in accordance with directorate or corporate complaints procedures.

B. Harassment

1. Harassment, intimidation, unfair discrimination or victimisation, by or against employees will not be tolerated.
2. You have a duty to ensure the standard of conduct for yourself and for colleagues respects the dignity of others and does not cause offence.

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3. You should act in such ways as to avoid all forms of unacceptable behaviour in relation to other employees, clients and customers of [XXXXXXXXX] Council

C. Disclosure of Information

1. Many employees are in a position to obtain information which is highly confidential, politically and/or commercially sensitive, or is personal information protected by the Data Protection Act.
2. You must not use any such information for a personal reason or benefit or pass it on to others who might use it in such a way. This includes information about the work of [XXXXXXXXXX] Council, its employees or members of the public.
3. Inappropriate disclosure of information or a breach of these rules in any way will render you liable to disciplinary action and could lead to criminal prosecution.
4. In addition, you must not misuse your position by requesting or gaining information unnecessary to carrying out your work.
5. [XXXXXXXXXX] Council is committed to the highest possible standard of openness, honesty and accountability. If you have any serious concerns about any aspect of [XXXXXXXXXX] Council work you should raise your concerns in accordance with the Whistleblowing Procedure.

Other sources of guidance and information: Freedom of Information Act: requests from Elected Members.

D. Political Neutrality

1. Employees serve the Council as a whole. It follows they must serve **all** elected Members and not just those of the controlling group and must ensure the individual rights of all elected Members are respected.
2. You may be in a post in which you advise political groups. If you do, you must act with political neutrality. Whilst you may have your own political opinions, you must avoid carrying out your duties in a way which reveals your political affiliation.
3. Some Local Authority Officers are politically restricted. They are:
 - (a) the head of paid service;
 - (b) the statutory chief officers (s.151 officer, director of children's services and director of adult social services);
 - (c) the non-statutory chief officers (all officers who report directly to the head of paid service or who report directly or are directly accountable to the local authority or any committee or sub-committee of the authority, other than those whose duties are solely secretarial or clerical);
 - (d) the deputy chief officers (those who report directly to chief officers, other than those whose duties are solely secretarial or clerical);
 - (e) the monitoring officer;
 - (f) political assistants;
 - (g) officers who give advice on a regular basis to the authority, to any committee or sub-committee of the authority or to any joint committee on which the authority are represented;
 - (h) officers who speak on behalf of the authority on a regular basis to journalists or broadcasters;
 - (i) officers to whom powers are delegated.

Further advice can be sought from Legal and Democratic Services on political restrictions.

4. You must seek legal advice if you wish to stand for election as a Councillor for the [XXXXXXXXXX] Council or any other local authority as it could impact upon your employment. Whilst it is not legally possible to continue to work for [XXXXXXXXXX] Council. If you are elected as a [XXXXXXXXXX] Council Councillor you may be able to serve public office for other organisations, including other councils. You should obtain advice from the political party for which you are standing to ensure there is no conflict of interest and your political alliance does not compromise your working life.
5. If you are involved in politics in your private time, you must not carry out any political activity which might lead the public to think you are acting in your capacity as a [XXXXXXXXXX] Council employee. It is particularly important, if you are a Member with another council, to keep your two roles separate and not use confidential information obtained in one capacity in the other.

E. Relationships

1. Elected Members

Mutual respect between employees and Members is essential to good local government. Close personal familiarity between employees and individual Members can damage the relationship and prove embarrassing to other employees and Members and should therefore be avoided.

2. The local community and service users

You should always remember your responsibilities to the community you serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by [XXXXXXXXXX] Council policies.

3. Media

If you are not authorised to deal with representatives of the media, you should refer any enquiries you receive to your line manager or to a media relations officer.

If you have specific authority to deal with media enquiries, you should only reply to requests for information or questions which relate to the facts of a situation.

If an expression of opinion or official statement of policy is needed, you must speak to your Head of Department.

Every assistance should be given to Members who need information to deal with questions from the media. You should refer to the Communication & Media Centre Manager for further advice if you are unsure of the protocols.

If you speak as a private individual directly to the press, or at a public meeting or other situation where your remarks may be reported to the press, ensure nothing you say might lead the public to think you are acting in your capacity as a [XXXXXXXXXX] Council employee.

If you ever speak on behalf of a recognised trade union, you must make it clear that the views you are expressing are those of the trade union you represent and not the [XXXXXXXXXX] Council.

4. Contractors/Consultants

All relationships of a business or private nature with internal or external contractors or consultants, or potential contractors or consultants, should be made known to an appropriate senior manager as they have the potential to seriously compromise [XXXXXXXXXX] Council decisions.

Orders and contracts must be awarded on merit, by fair competition against other tenders. No part of the local community should be discriminated against when considering contracts and tenders.

F. Staff Appointments and Other Employment Matters

1. If you are involved in appointing staff, you must ensure decisions to appoint are made on the basis of merit. It would be unlawful to make an appointment based on anything other than the ability of the candidate to undertake the duties of the post.
2. [XXXXXXXXXX] Council has a detailed process for the appointment of staff that must be followed scrupulously by all employees involved in appointments at all times.
3. To avoid any possible accusation of bias, you should not be involved in an appointment if you are related to an applicant or have a close personal relationship with them outside work.
4. Similarly, you 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. If your post is exempt from the Rehabilitation of Offenders Act and subject to a Disclosure Barring Service (DBS), you are obliged to tell your manager of any convictions, warnings, cautions, reprimands etc., no matter how minor, you may receive from the Police whilst a [XXXXXXXXXX] Council employee. All staff are expected to disclose any conviction, warning, caution or reprimand that has the potential to impact on their job.
6. If you line manage staff, you may give an employer's reference on behalf of [XXXXXXXXXX] Council for a member of staff or an ex-member of staff, unless otherwise informed. You owe a legal duty of care to ensure the reference is based on fact. You are strongly advised to follow the detailed guidelines on employer's references available on [LINK].

G. Outside Commitments

1. You must be clear about your contractual obligations and should not take additional or 'outside' employment (paid or unpaid) which conflicts with [XXXXXXXXXX] Council interests. Your conditions of service may require you to obtain written consent to take any additional employment inside or outside [XXXXXXXXXX] Council.
2. Where you are permitted to take outside employment, either within your conditions of service or by way of written consent, no outside work of any sort should be undertaken on [XXXXXXXXXX] Council premises.
3. Use of facilities such as telephones, computers, etc is forbidden and correspondence and incoming phone calls related to outside work are not allowed.
4. These provisions do not apply to public appointments (e.g. as a magistrate).
5. You may, in a professional capacity whilst undertaking additional or outside work, publish books and articles, give lectures or speak on radio or television and may illustrate these by reference to activities or policies, but your relevant Corporate Director should be consulted before doing so. You must be clear that any views you express are your own and not necessarily those of
6. You may retain lecturing fees under the following conditions only:
 - * officers who lecture in their own time for outside bodies may retain the whole of any fee payable
 - * officers who are permitted to lecture to outside bodies in [XXXXXXXXXX] Council time may retain half of any fee payable

- * fees will not be paid to officers who lecture on any of [XXXXXXXXXX] Council internal courses, whether in their own time or not.

H. Personal Interests

1. You must declare annually to an appropriate senior manager any financial and non-financial interests or commitments, which may conflict with [XXXXXXXXXX] Council interests. (Appendix 1 – Model Declaration of Interests Form).

Membership of, or activity on behalf of, a recognised trade union or professional society does not constitute such an interest. [XXXXXXXXXX] Council encourages you to take an active part in the life of your community. This code does not seek to discourage such involvement. If there is any doubt, advice should be sought from the line manager or Legal and Democratic Services.

2. You should declare to an appropriate senior manager, membership of any organisation, lodge, chapter, society, trust or regular gathering or meeting which is not open to members of the public who are not members of that lodge, chapter, society or trust or requires secrecy about its rules, membership or conduct.
3. In addition to the above, you should advise an appropriate senior manager of your membership of any such organisation where in a specific instance such membership constitutes (or can be perceived as) a conflict of interest.
4. A register of financial and non-financial interest is maintained by each Directorate. Human Resources maintain a register for senior managers at Corporate Director and Director/second tier level who should ensure appropriate entries are made and the nature of any potential or perceived conflict of interest is recorded in the register.
5. The [XXXXXXXXXX] Council Financial Regulations specify that employees who have a direct or indirect financial interest in a contract shall not be supplied with, or given access to, any tender documents, contracts or other information relating to them, without the authority of the relevant Corporate Director.
6. Employees must advise a senior manager if they are declared bankrupt or are involved as a Director of a company which is wound up or put into voluntary liquidation if it may impact upon the employee's role and duties. Such information will be treated in the strictest confidence.
7. Intellectual Property Rights are relevant to patents, copyright, database rights, registered and unregistered design rights, trademarks, utility models, plant variety rights and other intellectual property, applications for registration of any of the same, confidential information and know how, whether in all cases registered or unregistered.

Where an employee makes, or creates any Intellectual Property Rights that may be of benefit to [XXXXXXXXXX] Council in the course of their normal duties, their manager should be informed in writing and, unless an alternative agreement is reached with the managing director, [XXXXXXXXXX] Council is generally considered the 'owner' so far as the law allows.

I. Separation of Roles during Tendering

1. If you are involved in the tendering process and dealing with contractors, you must be clear about the separation of client and contractor roles within [XXXXXXXXXX] Council. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.

2. If you have access to confidential information on tenders or costs for either internal or external contractors, you must not disclose that information to any unauthorised party or organisation.
3. You should ensure 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.

J. Equality Issues

You should ensure that policies relating to equality issues as agreed by [XXXXXXXXXX] Council are complied with, in addition to the requirements of the law. All members of the local community, customers, clients, job applicants and employees have a right to be treated with fairness and equity.

K. Working with Voluntary and Other Organisations

1. [XXXXXXXXXX] Council encourages working in partnership with voluntary organisations. Where the partnership takes the form of a company, trust or charity, guidelines are given within the Companies' Framework held by Legal & Democratic Services.

L. Gifts and Hospitality

1. You should not accept significant personal gifts from contractors, clients or outside suppliers as this could compromise you personally and [XXXXXXXXXX] Council. It is a serious criminal offence to receive or give any gift, loan, fee, reward or advantage to anyone in your capacity as a [XXXXXXXXXX] Council employee. Minor articles, e.g. diaries, calendars, office items and the like, will not be regarded as a gift. If there is any doubt, a gift should be refused.
2. If you receive unsolicited gifts, they must be returned with a polite refusal letter to the sender. You should also inform your manager, so it can be clearly recorded in the Directorate/Service Unit Register of Hospitality/Gifts.
3. You may not accept legacies from clients or others who may have benefited from your services delivered on behalf of [XXXXXXXXXX] Council. If you are named as a beneficiary, you should immediately inform your manager.
4. You should only accept offers of hospitality if there is a genuine need to impart information or represent [XXXXXXXXXX] Council in the community and where you are satisfied that any decisions are not and will not be compromised. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where [XXXXXXXXXX] Council should be seen to be represented. They should be properly authorised by your line manager and recorded in advance of the event in the Directorate's Hospitality/Gifts Register.

[XXXXXXXXXX] Council should meet the costs of all visits to reference sites, supplier's premises etc. to avoid jeopardising the integrity of any subsequent decisions.

5. When hospitality has to be refused, the invitation should still be recorded in the Directorate's Register of Hospitality/Gifts.
6. Many supermarkets, petrol stations and high street stores offer loyalty cards for customers as an incentive to purchase from them. There are various types of loyalty cards, which offer a

variety of rewards or bonuses, and it is likely you will have at least one of these cards for your personal use. You should not use your personal loyalty cards when purchasing goods or services on behalf of [XXXXXXXXXX] Council or its clients. The use of such cards may compromise your professional integrity, particularly if the retail outlet or supplier was chosen because they offer you additional reward and not because it provided the greatest benefit and cost effectiveness to [XXXXXXXXXX] Council or its clients.

7. Likewise, many credit card companies offer loyalty rewards. The use of personal credit cards to purchase goods or services on behalf of [XXXXXXXXXX] Council or its clients should be avoided unless no other means of expenditure is available.
8. However, should any loyalty rewards be received whilst undertaking [XXXXXXXXXX] Council business where there is no means of these being transferred to [XXXXXXXXXX] Council then they can be regarded as the property of the individual employee, e.g. frequent traveller programmes, hotel loyalty awards, etc.

M. Sponsorship - Giving and Receiving

1. Where an outside organisation wishes to sponsor a [XXXXXXXXXX] Council activity, whether by invitation, tender, negotiation or voluntarily or in response to an approach by [XXXXXXXXXX] Council to potential sponsors, you should:
 - a. refer, at the earliest possible stage, to the Sponsorship Policy & Guidance generally and the section on procurement in particular
 - b. follow the basic conventions concerning the acceptance of gifts or hospitality and record these arrangements in the Directorate's Register of Hospitality & Gifts.
2. Where the value of sponsorship arrangements exceeds the relevant threshold in the Public Contracts Regulations 2006, (the Regulations), or involve payment in kind by the sponsor they must be advertised and tendered in line with the Regulations.
3. Where [XXXXXXXXXX] Council wishes to sponsor an event or service, neither you nor your partner, spouse, close friend or relative must benefit from such sponsorship. Similarly, where [XXXXXXXXXX] Council, through sponsorship, grant aid, financial or other means, gives support in the community, you should ensure impartial advice is given and there is no conflict of interest involved.
4. Enquiries about seeking or accepting sponsorship for [XXXXXXXXXX] Council should be directed to the [XXXXXXXXXX] Council External Funding Team.

N. Health and Safety at Work

1. You must, by law, take reasonable care for your own health and safety and that of other people who may be affected by anything you do at work. The use of illegal drugs or misuse of other drugs or alcohol to the extent it affects health, work performance, attendance, conduct or relationships at work is not acceptable. (For further information see [XXXXXXXXXX] Council's Drugs & Alcohol Policy.)
2. [XXXXXXXXXX] Council has a comprehensive policy on Health and Safety which contains all you need to know about compliance with legislation, standards and [XXXXXXXXXX] Council procedures in connection with health, safety and wellbeing at work.

O. Equipment and Materials

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1. [XXXXXXXXXX] Council telephone, computer systems, other equipment and materials are the property of [XXXXXXXXXX] Council and are provided for employees' business purposes and for interaction with the public in the delivery of services.
2. Some personal use of the [XXXXXXXXXX] Council electronic communication facilities and devices including phone, internet and email is permitted, provided it is within the scope of [XXXXXXXXXX] Council ICT Acceptable Use Policy (ECUP) and ICT User Standards.
3. No software can be used unless there is proof of legal registration to [XXXXXXXXXX] Council under the Copyright, Designs and Patents Act. No personal software may be used on [XXXXXXXXXX] Council equipment. It is a criminal offence to knowingly use or make unauthorised copies of [XXXXXXXXXX] Council registered software.

P. Use of Financial Resources

1. You must ensure you use public funds entrusted to you in a responsible and lawful manner. They must be fully approved and used for the purpose for which they are intended.
2. You should ensure value for money to the local community and avoid legal challenge to [XXXXXXXXXX] Council.
3. [XXXXXXXXXX] Council Financial Regulations and Anti Fraud & Corruption Statement of Policy must be adhered to at all times.

Related Procedures, Policies, Guidelines and Support

The following can be found in the on

- Drugs & Alcohol Policy
- Equality & Diversity Policy
- Stress Management Policy
- County Council's Financial Regulations
- Anti-Fraud & Corruption Statement of Policy
- ICT Acceptable Use Policy
- ICT User Standards
- Whistle Blowing Policy
- Virus Protection Policy
- Smoking and E-cigarette Policy
- Managers' Guidance on Employment References
- Health & Safety at Work Policy and Guidance
- Health & Safety Framework
- Harassment Procedure
- Guidance on Foreign Travel
- Spending the Council's Money

Alternative Formats

This document is available in other formats. Call or email Employment Policy Queries for further details.

..... interpreting and translations services can help us explain services to people if their first language is not English. Call on an English-speaking operator will take details of your requirements and arrange a translation or interpreting service. You may need an English-speaking friend or a family member to help you with this.

**Appendix 1
Annual Declaration of Interest
Issued by Personnel & Development
(Model Form)**

I confirm that in carrying out my work on behalf of County Council I am free from any conflict of interest arising either from professional or personal relationships or from pecuniary or other interests, except for the areas listed below:

Interest declared	Management action to prevent conflict of interest

Signed:
(Employee)

Date:

Print Name:

Directorate:

Signed:
(Managing Director or
Delegated Manager)

Date:

Employment Policy Team

Last Reviewed: