

OFFICERS' CODE OF CONDUCT

APPENDIX 11 – OFFICERS’ CODE OF CONDUCT

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APPENDIX 11 – OFFICERS’ CODE OF CONDUCT

1. Introduction

The County Council have an excellent record of integrity and the public are entitled to and do count on the highest standard of behaviour from anyone who works for the organisation.

This Code of Conduct is intended to help you by describing what is expected of you. It has been approved by the Council following consultation with the Trade Unions.

Please take time to read the following fully and ensure your conduct meets its requirements. It cannot cover every situation which may occur and so should be read in conjunction with any more detailed requirements relating to your work, any National Conditions of Service that apply to your job and any relevant professional standards/codes of conduct.

Depending on your job it may be necessary for you to familiarise yourself with a range of the documents listed at the end of this guide e.g. relevant standing orders, financial regulations and accounting instructions.

2. Overall Approach

- (a) To the public you represent the County Council. Service delivery should be courteous, efficient and impartial to all groups and individuals. You should follow all County Council policies and should be familiar with the performance standards for customer care and the procedures for handling complaints and be guided by what they say.
- (b) It would not be appropriate for you in your role as a County Council employee to be seen directly to oppose the stated aims and responsibilities of the Council. It is important for all employees to present a unified corporate image to the public. It is not acceptable for you publicly to criticise or blame colleagues, sections or departments of the Council or County Councillors.
- (c) The Code describes certain types of behaviour or conduct, including activities outside the work place, which are incompatible with being a County Council employee because they may bring the Council into disrepute.
- (d) If you are at all uncertain about what is expected you should ask your line manager so that you do not act unwittingly against the County Council's interests.

- (e) If you disagree with the interpretation of the Code as it applies to you, please discuss it with your line manager. The Grievance Procedure provides the way to raise the matter further if you are still dissatisfied.

3. Personal Interests

- (a) The way you do your job must not be influenced by the interests of relatives, friends or members of a society to which you belong. There should be no suspicion that you are using your position or inside knowledge for your own purposes or that you could be influenced by improper motives.

- (b) If you belong to **Outside Organisations**, including voluntary organisations, you must be careful not to create conflict between your membership and County Council interests. You should always write to your line manager about any interest that could give the impression of you acting for personal motives or in the interests of some other person or organisation:

e.g. if you deal with an organisation in which you or your relatives or acquaintances hold an office or influential position;

e.g. if you hold office or influential position in an organisation doing business with or seeking grants from the County Council.

- (c) You must always tell your line manager of any **financial interest** which you are aware of which could be seen to relate to the County Council's interests:

e.g. an interest by you, a spouse, partner or a close friend or relative in a firm or company with which the County Council is likely to be dealing;

e.g. in certain circumstances holding shares in a company with which you know the County Council is likely to be dealing, or acting as an agent for them, could be regarded as a financial interest.

4. Interests in Contracts, Orders and Grants

- (a) You must write to the Director of Corporate Services to disclose any direct or indirect pecuniary **interest in a contract** with the County Council. This will be recorded in the "Register of Officer Interest". If you fail to do so you may be committing a criminal offence.

- (b) You must tell your line manager of all relationships of a business or private nature with those external consultants, contractors or potential contractors who you could reasonably be expected to know have dealings with the County Council. When **awarding orders, contracts and grants** this must be on merit by fair competition. No special favour should be shown to businesses run by or employing friends, partners or relatives. No part of the community should be discriminated against.

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- (c) If you **engage or supervise contractors or consultants on behalf of the County Council or have any other official relationship with them** you should tell your line manager before any work is undertaken if you also have or intend to have a relationship with the contractors or anyone employed by them in a private or domestic capacity.

5. Private Work

- (a) What you do in your own time is your concern but to protect yourself and the Council from criticism you should not put yourself in a position where there is actual or perceived conflict between your employment and your private interests.' You should be aware that outside work or activity, whether or not you receive payment, could reduce your ability to safely and effectively carry out your employment with the County Council e.g. through tiredness - in these circumstances such work would be regarded as unacceptable.
- (b) Regardless of your pay or grade you must advise your supervisor before engaging in any other business broadly similar to your County Council duties or taking up any other paid employment which could reasonably be seen to conflict with your employment, cause misunderstanding or criticism.
- (c) If you are paid salary spinal column point 29 or above you must also get written consent from your Chief Officer. If permission is refused the reasons will be explained and you will have the opportunity to appeal against the decision.
- (d) **During working hours** or when on sick leave you must not undertake outside work.
- (e) If you undertake **outside work which relates to County Council situations or activity** or undertake work for County schools or departments it should either be carried out as part of your normal duties or, if a fee is involved or you intend to carry out the duties during holiday time, it should be arranged through the Council - as should the allocation or payment of fees (excluding any agreed travel and subsistence).

6. Expressing Concern on Irregularities and Tackling Malpractice

- (a) Fraud happens when someone gets some benefit (usually money or property) through deceit. The Audit Division of the Financial Services Directorate help set up systems to prevent fraud and will investigate matters in confidence if you raise concerns with them.
- (b) In very rare circumstances something could be seriously wrong at work and you could be the first person to realise it. It might be the conduct of another employee, or the way a contractor is behaving; or it might concern

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a work practice, some plant or machinery or a building. Please tell someone - not as a "whistle blower" but as a "voice of concern".

- (c) No matter how reticent you may feel, you should raise any serious concern - e.g. a suspicion of fraud or corruption or reasonable belief that other's health, safety or well-being are in danger with your line manager, the next senior manager or Director or your Human Resources Manager, so that potentially serious problems or malpractice can be addressed in time. Be reassured that if you do raise a genuine concern in good faith all reasonable steps will be taken to respect your confidence and protect you from reprisals.
- (d) The County Council is committed to high standards and integrity. If in any rare circumstance of serious concern you believe that some malpractice is being condoned within your Directorate and have exhausted local channels you should raise your concern with the Chief Executive or if your complaint concerns the Chief Executive personally, the Director of Corporate Services in his/her role as Monitoring Officer.
- (e) The County Council takes this issue seriously and will tackle problems raised. Any abuse of the process by raising unfounded, malicious or mischievous allegations will be a serious disciplinary matter.

7. Confidentiality

- (a) The County Council is committed to open government. In law some information must be available to Councillors, Government Departments, service users and the public. You must make sure you know whether information is open or confidential and act accordingly.
- (b) You may sometimes acquire information at work which has not been made public or is confidential e.g. information about an employee or client, information on tenders or costs, or the proceedings of a meeting from which the press or public have been excluded. It is important that you do not pass on information, including software, either during or after your employment with the County Council, to anyone who has no right to receive it or discuss, disclose, publicise or use it for your own personal interest (or that of anyone you know). Please also remember that some information including intellectual property can be extremely valuable in business and commerce and could be used to the disadvantage of our own employees.
- (c) It is easy for information to be disclosed, sometimes unwittingly, which could be useful to competitors or potential competitors. It is in everyone's interest that you be aware that you may hold sensitive information and not discuss Council business with colleagues from other organisations, friends or family members who work for a competitor.
- (d) You must declare to your Director any approaches or offers made by a potential contractor e.g. a competitor might offer a wage rise if they win the bid. Offers of this kind must be declared even if declined.

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8. Contact with the Media

- (a) The Press, Publicity and Promotions Unit works to promote the policies and reputation of the Council and have specific skills and expertise in relations with the media. Unless you are authorised by your line manager to speak, write or give interviews to the media you should refer enquiries from the media on work related matters to the Press, Publicity and Promotions Unit.

9. Copyright

- (a) You should be aware that "intellectual property"; software, ideas, documents etc. created during your employment belong to the County Council. All files, materials, the media upon which they are located and all software programmes or packages which are utilised or developed solely for or in connection with your job shall remain County Council property.

10. Information Technology

- (a) Everyone using computing equipment has a duty of care to use it according to prescribed arrangements e.g. to avoid introducing computer viruses, to abide by the Data Protection Act which safeguards information by law and to ensure the security of information.
- (b) In addition to the Corporate Information Systems/Technology Policy, there are general management and security guidelines for computers in your department. These are complemented by a number of basic rules (described in "PC Guidelines") which are designed to help to ensure that the personal computer will continue to provide reliable information in a secure environment. The guidelines are broken down into two sections - good housekeeping rules and security principles.

If in any doubt ask the person responsible for IT within your Directorate.

11. Gifts, Inducements, Hospitality and Sponsorship

- (a) Minor gifts and hospitality may be part of the normal courtesies of life for many Local Government employees. A client may offer a modest gift - especially at Christmas or as a token of appreciation - and in an office situation simple items such as diaries and calendars are often distributed as advertising matter. With the exception of these "tokens" and any special schemes (e.g. travel) arranged by the County Council, all **gifts, vouchers, fees, special discounts, rewards or preferential treatment** must be refused. In situations where refusal is impossible or might offend you must inform your line manager who will decide on the appropriate action.

- (b) Treat with great caution any offer of **hospitality**. Accepting hospitality must be justified in the public interest e.g. when there is a genuine need to impart or obtain information, or to represent the authority. You must inform your line manager of an invitation or offer of hospitality before it has been accepted. The timing of hospitality e.g. in relation to purchasing or other decisions or applications being made, may be as important as whether or not it is modest or lavish. Where an outside organisation wishes to **sponsor** any activity, the basic conventions concerning, accepting gifts or hospitality apply.
- (c) Where the County Council wishes to sponsor an event or service the basic procedures concerning personal interests and the acceptance of gifts etc. apply.

12. Personal Purchases

- (a) You should be aware of possible conflicts of interest when you buy goods or use the services of firms which have dealings with the County Council and should follow any departmental procedures relating to the disclosure of any such transactions. You should not accept preferred rates, seek reductions in prices or receive preferential treatment because of the firm's dealing with the Council unless this is part of an officially recognised staff discount scheme.

13. Disposal of County Council Property

You must not receive or be seen to receive any preferential treatment in the disposal of surplus property.

14. Use of Council Resources

Facilities, equipment, materials etc. provided by the County Council for use in your work must not be used for any other purpose without permission or appropriate payment e.g. photocopying, private telephone calls.

15. Political Neutrality

- (a) You must serve the authority as a whole unless you are a political assistant appointed in accordance with the Local Government and Housing Act.
- (b) You must follow Council policy and operational regulations and must not allow your own personal or political opinions to influence your work. If your job is "politically restricted" your political activities, e.g. becoming an elected member, will be restricted.

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16. Equality Issues

All members of the community, customers and other employees have a right to be treated fairly. You should be aware of the Council's Equal Opportunities Policies and comply with them.

17. Employment Matters

In order to avoid any possible accusation of bias you should not be directly involved, without prior consultation with your line manager, in the appointment, promotion, discipline or other employment decision of another employee to whom you are related or with whom you have a close personal relationship. If a situation arises in which you feel you may be in such a position in future, please seek the advice of your Human Resources Manager.

18. Health and Safety

Unsafe working can endanger you, your colleagues and members of the public. You should be familiar with the Council's Health and Safety Policy and guidelines for your particular work. You must follow the rules, codes and safe practices they describe including reporting any accidents or near misses you have at work.

19. Discipline

Failure to maintain satisfactory standards of conduct will lead to disciplinary action in accordance with the County Council's 'Procedure for Dealing with Unsatisfactory Conduct and Performance'.

You should make sure you understand the requirements of this Code of Conduct and those regulations and policies listed later that apply to you and your job. You must also be aware of departmental rules and working arrangements, professional codes or standards, and the terms and conditions of work e.g. working hours, that apply to you. Examples of behaviour that may be regarded as misconduct or gross misconduct, depending on the circumstances, are listed below. All the examples are unacceptable and are listed to give you some idea of where you stand. The list is not intended to be exhaustive.

- a) racial and/or sexual discrimination and/or harassment at work;
- b) undertaking private activities during working hours without appropriate permission;
- c) unpunctuality and unauthorised absence from work;
- d) wilfully refusing to carry out a reasonable instruction;
- e) deliberately causing damage to Council property;

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- f) harming or endangering other persons or property e.g. by contravening safety rules;
- g) neglect of duty;
- h) assaulting or abusing another person whilst at work (NOTE: this does not include reasonable physical restraint carried out in the course of duty);
- i) theft or misappropriation at or in connection with work;
- j) unauthorised private use of Council property or other property which has been removed from Council premises;
- k) fraudulent practices and/or omissions in connection with official duties e.g. deliberately falsifying Council documents, claims for payment of expenses and/or allowances etc.;
- l) acts involving bribery or corruption
- m) any action for which it would be appropriate for the Council as an employer to take legal proceedings (irrespective of whether such proceedings are taken;
- n) sexual misconduct at work;
- o) being unable to carry out duties through the influence of any drug(s), alcohol or other substances;
- p) possession of illegal substances at work;
- q) any breach of security in respect of information or procedures;
- r) obtaining or attempting to obtain access to any information (including information held or stored by electronic means) to which the employee is not entitled;
- s) inciting another employee to undertake any of the above actions.