

# SOUTH RIBBLE BOROUGH COUNCIL

## Employee Code of Conduct



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## Explanatory Notes

In summary, you are required to;

- Attend work in a condition where you are able to carry out your duties safely and effectively
- Act honestly
- Act with dignity and treat all others with dignity and respect
- Work in accordance with the terms and conditions of your contract of employment and job description
- Understand and apply the Council's rules, policies and procedures
- Be committed to delivering quality services to service users
- Understand and act in accordance with the Council's vision and values, policy and procedures

# 1. Introduction

## 1.1 Overview

This Code of Conduct applies to all employees of the Council.

The way you carry out your duties must promote and maintain public confidence and trust in the work of the Council. Whilst acting as an employee of the Council you must remain politically neutral at all times.

You must promote the Council's values at all time. The Council's values are: Integrity, Positive Attitude, Learning Organisation, Teamwork and Excellence.

For the Council to run efficiently, it is vital that you understand your work and your responsibilities whilst at work. You also need to understand how your activities outside work may affect your ability to do your work during working hours. When dealing with the Council in a personal capacity you are expected to demonstrate the highest possible standards of honesty and integrity.

This Code of Conduct aims to ensure that:

- (i) Employees are protected against any unjustified allegations of wrongdoing,
- (ii) There can be no perception or suggestion that any employee of the Council could be influenced in any way by improper motives, and
- (iii) public confidence in the Council is enhanced and maintained and the reputation of the Council is protected

If you find yourself in a situation where it is not clear what the right thing to do is, you can:

- refer to this Code of Conduct,
- discuss the situation with your service manager
- Contact Human Resources

## 1.2 What is the Code of Conduct

This Code of Conduct is designed to provide guidance about what is expected from you in your daily work and in your dealings with elected members, colleagues and the public.

All Council employees must be familiar with the Code of Conduct. You are required to comply with its contents. Failure to do so may result in disciplinary action, which could include dismissal.

For this reason, it is important that you read the whole of this document and ask your service manager for clarification if there is anything in it that you do not understand.

## 1.3 What happens if the content of the Code changes?

The Council will take every reasonable step to ensure that the Code of Conduct is kept up to date. The most up to date version will always be the one that is available on connect. Changes to the Code will be consulted on and widely communicated.

## Explanatory Notes

You should treat colleagues, elected Members and members of the public with dignity and respect.

You should:

- i. Ensure that your conduct is not discriminatory or harassing to others.
- ii. Ensure your behaviour and performance meets workplace standards at any time that you are representing the Council or are likely to be identified or associated with your role as a Council employee (whether or not you are 'on duty' at the time).

## 2. Workplace Behaviour and Personal Conduct

### 2.1 Introduction

As an employee of the Council you are expected to comply with the requirements of a number of relevant policies – please see paragraph 2.3 for a list of such policies. You are expected to familiarise yourself with the contents of these policies.

### 2.2 Working with Councillors

An effective working relationship based on mutual respect between employees and members is essential to good local government in order to delivery efficient and high quality services to the community. However, close personal familiarity between employees and individual members can damage the relationship and prove embarrassing to other members and employees and should therefore be avoided.

Employees must not seek to involve members in personal matters which relate to any aspect of their employment with the Council e.g. pay and grading, grievances etc.

### 2.3 Relevant Policies

You should be fully aware of the contents of all relevant policies including in particular:

- Capability Policy
- Disciplinary Policy
- Equal Opportunities in Employment Policy
- Grievance Policy
- Managing Attendance Policy and Procedure
- Whistleblowing Policy
- Drugs and Alcohol Policy
- Policy statement and Procedure for Dealing with complaints of Bullying and Harassment
- Health and Safety Framework
- Financial Regulations
- Contract Procedure Rules
- IT and Information Policies

All these policies are available on Connect.

## Explanatory Notes

### In summary you should:

- i. You should ensure that any outside employment does not conflict with the interests of the Council;
- ii. You are expected to be honest and impartial at all times;
- iii. You must not improperly use your position;
- iv. You must not use Council facilities for personal business

## 3. Protecting the Council and its Employees

### 3.1 Other Employment

It is important that you ensure that any additional employment (or unpaid voluntary work) does not conflict with the interests of the Council or affect your ability and credibility to do your job.

If you wish to undertake additional employment outside of the Council you must inform your Service Manager and Human Resources.

### 3.2 Use of Authority

You should not use your position to seek to improperly influence a decision or action.

You are expected to provide honest, impartial and comprehensive advice regardless of your personal assessment on a matter. If your personal views conflict with the performance of your official duties or if you believe that you cannot act impartially, you should contact your service manager and attempt to resolve the conflict.

When requested, you are expected to provide Members, Senior Management, service managers and co-workers with advice which is frank, independent, based on an accurate representation of the facts and as comprehensive as possible.

You should ensure – when exercising any discretion - that you do so properly, impartially, equitably and in accordance with relevant legislation, delegations, procedures or guidelines.

In exercising any power associated with your employment, you must ensure that you are either statutorily authorised to do so or that you have been delegated the power by a person with the necessary authority to issue the delegation.

### 3.3 Conduct Outside of Working Time

Generally, what you do outside work is your own concern, and the Council does not seek to dictate how you conduct yourself outside work. However, unlawful, anti-social or other conduct by employees (including the inappropriate use of social media) which jeopardise the Council's reputation or brings the Council into disrepute would be dealt with through the disciplinary procedure.

### 3.4 Use of Council, Property, Facilities and Equipment

Council facilities are to be used for the Council's business and for no other purpose unless you have your Service Manager's permission beforehand.

No private work may be carried out in the Council's time, or on the Council's premises or with the use of the Council's equipment.

### Explanatory notes

Generally speaking you are not required to notify the Council if you commit a minor traffic offence but if you are at risk of losing your licence then you must so notify the Council.

### Explanatory Notes

'Public Comment' in this section includes public speaking engagements, all media requests for information, comments in social media, comments on radio and television, letters to newspapers, expressing views in books, journals or notices if it is expected that the comments will spread to the community at large.

## 3.5 Criminal Charges and Convictions

If you are charged with, or convicted of, a criminal offence whether or not it is work related you must notify the Council in writing. The Council will establish the facts of the case and consider whether the matter is serious enough to warrant disciplinary action.

You must notify the Council on the next working day if you are charged or convicted of any offences. Failure to notify the Council in either case will constitute grounds for disciplinary action.

The Council requires all applicants for jobs to disclose convictions for any criminal offence, other than those which are spent under the Rehabilitation of Offenders Act 1974. However, some posts will require an enhanced Criminal Disclosure and Barring Service check and in those circumstances you may be required to disclose spent convictions.

## 3.6 Public Comment on Council Policy and Administration

The Council's Public Relations team provides the corporate communications functions for the organisation. The only Council employees who should deal with contact from the media or who should make public comment on the Council's policy or procedures are Public Relations. If a journalist ever contacts you, you should pass them immediately to the PR team. PR will sometimes ask an officer to speak to a journalist (usually regarding a technical issue), but these instances are infrequent.

If you are a workplace representative of a trade union or professional association, you should ensure that when you make public comment, it is clear that comment is made on behalf of the union or association you represent and not the Council.

## 3.7 Internal Audit and Risk Management

The Internal Audit Service Charter sets out the audit team's roles and responsibilities in order to ensure effective internal control, good financial systems and management of risk. All employees have a responsibility to contribute to this work and, where an agreed action plan makes you personally responsible for progressing a particular action, it is your responsibility to ensure that it is undertaken within the agreed timescale.

### Explanatory Notes

You must ensure that you are unbiased in the performance of your duties. You must always be aware of how the public will perceive you.

### Explanatory Notes

When spending Council money you must be able to demonstrate value for money. You also must act with the strictest honesty and integrity at all times.

## 3.8 Political, Professional and Trade Union Activity

You should ensure that your right to engage in political or professional activities does not result in an actual or perceived conflict of interest with your official duties with the Council. You should ensure that you are able, and be seen to be able, to remain unbiased in the performance of those duties.

Council employees serve the council as a whole. In so far as employees may be required to advise political groups, they must do so in ways which do not compromise their own political neutrality. It follows that they must serve all members and not just those of the controlling group, and must ensure that the individual rights of all members are respected.

Employees whether or not politically restricted post holders must diligently follow, pursue and implement the lawful policies of the Council and must not allow their own personal or political opinions to interfere with their work. Employees, whether or not politically restricted, must follow every lawfully expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work.

If you are a member of a profession, you are expected to uphold the standards of performance and conduct set by the relevant professional association and this Code of Conduct. However, it is noted that there can be exceptions to this where there is legislative authority to do so. If you believe a conflict exists between your official role and the standards of your profession, you must raise your concerns with your Service Manager.

## 3.9 Dealing with the Council's Money

All employees must ensure that they use public funds entrusted to them in a responsible and lawful manner.

Should you have responsibility for budgets and/or purchasing, you must ensure that you understand and comply with the Council's Contract Procedure Rules and financial regulations. These can be found in the Council's Constitution.

When committing Council money, you must ensure that there is an approved budget for such expenditure and that the expenditure is within the limits that you are personally authorised to so incur.

You must declare to your service manager any financial interest, whether direct or indirect, that you or your partner may have in any contract or proposed contract with the Council.

You should also consider declaring to your service manager non-financial interests, for example, where you do voluntary work for an organisation in receipt of a grant from the Council. If you are in any doubt then you should make a declaration.

## Explanatory Notes

Examples of conflicts (or perceived conflicts) between personal interests and public duties that should be declared and in some cases avoided include:

- Staff who have access to computer databases of customers\updating their own personal records or those of close relatives
- As a purchasing officer liaising with a supplier who employs one of your close relatives
- Employees being contracted to provide services to the Council outside of their paid employment
- Generating work which involves travel to provide an opportunity to visit friends or carry out personal activities
- A supervisor who is in a position to approve higher duties or provide other benefits to a subordinate where a close personal relationship exists (such as a partner or family member or close personal friend)
- Involvement with an interview panel when a relationship exists with one of the applicants

## Explanatory Notes

- As you will not want to offend the giver, situations of this kind will need very careful handling. Gifts and hospitality of "token value" e.g. a box of chocolates, flowers, a pen, diary or calendar, or similar items that may be used at work and shared with colleagues may be accepted.
- It may help to ask yourself the following question when considering whether to accept a gift or hospitality- Could I justify my decision to the Council, public and the press?

## 3.10 Conflict of Interest

If a conflict occurs between your private interests and public duties you must resolve the conflict in favour of your public duties. You can refer to Council procedures or guidelines for advice in analysing, declaring and registering conflicts of interest.

You must advise your service manager in writing of any personal or immediate family private interests that may give rise to a conflict of interest with your official duties, particularly if you are involved in making decisions affecting contracting, tendering or regulatory functions.

You should comply with any reasonable request from the Senior Management to provide information relating to your personal interests or the interests of a dependent or spouse.

## 3. 11 Gifts and Hospitality

The Local Government Act 1972 states that an employee shall not "under colour of his office or employment accept any fee or reward other than their proper remuneration (i.e. salary/pay)."

### Gifts

You are expected to refuse personal gifts (other than those of "token value"). Should you be placed in a position where refusal of a gift would cause offence (this may be particularly relevant around Christmas and other festivals) the gift must be given to the Mayor for use in relation to his/her charity.

### Hospitality

Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the local authority in the community. Offers to attend purely social or sporting functions should be accepted only when these are

part of the life of the community or where the authority should be seen to be represented. It should be properly authorised and recorded.

**REMEMBER** - Details of all gifts and hospitality (Except of “token value”) must be put on the Officer Declarations Register which can be found on Connect or by reporting it to HR. If you are in any doubt, you should seek the guidance of your Service Manager before accepting any gifts or hospitality offered.

### 3.12 Working with Contractors

All relationships of a business or private nature with external contractors, or potential contractors, should be made known in writing to the Monitoring Officer (the Director of Governance and Business Transformation) and the Head of Human Resources. Orders and contracts must be awarded in accordance with the Council’s Contract Procedure rules and procurement process.

No part of the local community must be discriminated against.

### 3.13 Information Disclosure and Confidentiality

As a Council employee, you may obtain information that has not been made public and is still confidential. You must never disclose information given in confidence by anyone, or information acquired which you believe is of a confidential nature, without the consent of a person authorised to give it or unless you are required to by law.

You must not disclose confidential information for your own personal use or for use by anyone else known to you, or to the disadvantage or the discredit of the Council or anyone else.

You must always observe the provisions of the Data Protection Act 1998, the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and the Council’s procedures for the release of personal information held about other employees or members of the public.

Breach of confidentiality may be considered a disciplinary offence, which could result in dismissal.

#### Explanatory Notes

When you leave your employment with the Council, you must still respect the confidentiality of official information that may have been available to you in the course of your duties and not use this information for private, commercial or political gain.

### Explanatory Notes

All employees have a personal and legal responsibility under the Health and Safety at Work Act 1974 for themselves, colleagues and visitors to the Council's buildings and premises.

These responsibilities are identified in the Council's Health and Safety Framework

In summary, you must:

- a) Look after the health and safety of yourself and others who may be affected by your actions or failure to carry out certain actions at work;
- b) Co-operate with your manager, attend training sessions, and carry out reasonable instructions.

## 4. Health and Safety

### 4.1 Working safely

Any activity that presents a significant risk to the health, safety or well-being of an employee or other person must have been subject to a written risk assessment. This is a tool which managers must use to determine the safest and best way of carrying out the work, including appropriate training, personal protective equipment etc. Appropriate safety controls should all be summarised on the risk assessment or safe system of work procedure and provided to the relevant employees.

Employees must follow the resulting safe system of work to ensure their safety and that of others is not put at risk. If these are not in place, speak to your manager in the first instance or your Health and Safety adviser.

For example, you must:

- Comply with the instructions given for workplace health and safety at the workplace by the Council.
- Use personal protective equipment if the equipment is provided and you have been properly instructed to use it.
- Not wilfully or recklessly interfere with or misuse anything provided for workplace health and safety at the workplace.
- Not wilfully place at risk the health and safety of any person at the workplace.
- Not wilfully injure yourself.
- Report to your supervisor any workplace hazards that cannot be immediately rectified.
- Ensure that you comply in practice with any guidelines given for performing manual handling tasks.
- Take all reasonable steps to ensure that employees you supervise are following guidelines and have access to job-specific training.

## **5. Reporting Breaches of Code of Conduct and Whistleblowing**

Maintaining public confidence in the Council and protecting its reputation is of vital importance. In this regard if you are concerned about any practice you see in the Council which you think conflicts with the Code of Conduct, you should obtain advice from your service manager, your Director/Head of Service, Trade Union representative, or any other appropriate person as identified in the Council's policies referred to in the Code of Conduct.

The Public Interests Disclosures Act 1998 and the Council's Whistleblowing Policy can provide safeguards for employees and public officials who disclose unlawful and improper conduct including breaches of this Code. The Council is committed to supporting employees who come forward with allegations of wrongdoing and will – as far as is possible – ensure that confidentiality is maintained.

Please see our Whistleblowing policy on Connect for full details. Please note that that the procedure set out in the Whistleblowing policy is designed to cover the situation where an employee has major concerns to report – there are other procedures in place to cover the reporting of minor/less serious concerns.