

CODE OF CONDUCT FOR EMPLOYEES

1 Standards

1.1 Local government 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. Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service. Employees must report to the appropriate manager any impropriety or breach of procedure.

2 Disclosure Of Information

2.1 It is generally accepted that open government is best. The law requires that certain types of information must be available to members, auditors, government departments, service users and the public.

2.2 Committee agendas and most reports and background papers are required by law to be available for public inspection. Detailed guidance is available from the Town Clerk. Obstruction of a member of the public who wishes to exercise these rights is a criminal offence.

2.3 The public are specifically excluded from certain proceedings of Committees or meetings associated with the business of any Committee. No employee shall communicate to the public the content of such proceedings or any document relating to the Authority, unless required by law or expressly authorised by the Town Clerk to do so. Employees making unauthorised communications may render themselves liable to disciplinary action.

2.4 Employees should exercise caution and care not to disclose commercially sensitive information. Guidance should be sought from the Town Clerk.

2.5 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.

2.6 Any particular information received by an employee from a Councillor which is personal to the Councillor and does not belong to the Authority such as details of her/his marital/domestic arrangement, should not be divulged by the employee without the prior approval of that Councillor, except where such disclosure is required or sanctioned by the law.

2.7 Employees have a duty to maintain confidentiality and must not disclose any information obtained in the course of their employment to any third party for any unauthorised reason. A disclosure which complies with the requirements of the Whistleblowing Policy will be regarded as authorised disclosure.

3 Political Neutrality

3.1 Employees serve the authority as a whole. They must serve all councillors and not just those of the controlling group, and must ensure that the individual rights of all councillors are respected.

3.2 Subject to the authority's conventions, employees may also be required to advise political groups. They must do so in ways which do not compromise their political neutrality.

3.3 Employees, whether or not politically restricted, must follow every lawful expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work

4 Relationships

4.1 Councillors

Employees are responsible to the authority through its senior managers. For some, their role is to give advice to councillors and senior managers and all are there to carry out the authority's work. Mutual respect between employees and councillors is essential to good local government.

4.2 The Local Community and Service Users

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 policy statements of the authority.

4.3 Contractors

All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the appropriate manager. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses operated or controlled by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

4.4 Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with a contractor who is engaged or who is proposed to be engaged by the Authority, should declare that relationship to the appropriate manager as soon as practicable.

The Press and the Media

4.5 Employees must not deal direct with the press or the media unless required to do so in the course of their work or they have been expressly authorised by the Town Clerk.

4.6 All enquiries for information or comment on issues affecting the work of the Council must be referred to the Town Clerk.

4.7 Any article, publication, or interview given on aspects of Council policy or activity must be properly authorised.

5 Appointments and other employment matters

5.1 Employees involved in appointments should ensure that these are made on the basis of merit. It is unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post.

5.2 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. [Candidates for any appointment with the Council when making an application, must disclose on the job application form whether s/he is related to any member of the Council or to a holder of any senior office.] Deliberate omission to make such a disclosure will disqualify the candidate and if the omission is discovered after appointment, s/he shall be liable to dismissal.

5.3 Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner, etc.

5.4 Elected Members and Senior Officers need to disclose to the Authority any relationship known to exist between themselves and a candidate for an appointment of which they are aware.

6 Outside commitments

6.1 All employees should be clear about their contractual obligations and should not take outside employment which conflicts with the Council's interests, or in any way undermines public confidence in the conduct of the Council's business and thereby damaging its reputation.

6.2 No employee of the Council, irrespective of their grade, should undertake work outside their employment with the Authority if their official duties overlap in some way with their proposed work, if it causes a conflict of interest, unless the consent of the Town Clerk and the Full Council has been granted. It is irrelevant whether or not the work is paid.

6.3 Employees' off-duty hours are their personal concern but they should not subordinate their duty to private interests to put themselves in a position where duty and private interests conflict. The Council will not preclude employees from undertaking additional employment, but any such employment must not, in the view of the Council, conflict with or react detrimentally to the Council's interests, or in any way weaken public confidence in the conduct of the Council's business.

6.4 No outside work of any sort should be undertaken in the office, and use of facilities, eg telephones, or access to typing facilities for outside work is forbidden.

All the resources of the Council including equipment, stationery, etc. are to be used to further the Council's business and are not for personal use.

6.5 No employee shall undertake outside work if it makes use of material to which the employee has access by virtue of his or her position.

Intellectual Property

6.6 Employees should follow the Council's rules on the ownership of intellectual property or copyright created during their employment.

6.7 Intellectual property is a generic term that includes inventions and patents, creative writings and drawings. If these are created by the employee during the course of employment then as a general rule they belong to the Council.

Information Technology and Data Security

6.8 Employees must ensure that they follow the Council's procedures in relation to the use and storage of computers and the proper management of computer held information in relation to the Data Protection Act.

7 Personal interests

7.1 Employees must declare to an appropriate manager, any non-financial interests that they consider could bring about conflict with the authority's interests.

7.2 Employees must declare to an appropriate manager any financial interests which could conflict with the authority's interests.

7.3 Employees should declare to an appropriate manager membership of any organisation not open to the public with formal membership and commitment of allegiance and which has secrecy about rules and/or membership and/or conduct.

7.4 On no account must employees be directly involved in the processing of any matter or application in which they or any close relative have a personal interest.

7.5 Employees must declare to an appropriate manager (preferably in writing), any non-financial interests that they consider could bring about conflict with the Council's interests. This may include membership of outside bodies in a personal capacity. In such cases employees should be mindful not to place themselves in a situation where their involvement or working contribution could compromise their continuing professional duty to the interests of the Council.

7.6 As part of their official duties an employee may be required to serve on an outside body. In such cases employees will be expected to represent and promote the Council's interests and policies as the circumstances dictate.

7.7 The Council has produced guidance notes relating to Pecuniary & Non-Pecuniary Interests of Employees.

8 Equality issues

8.1 All local government employees should ensure that policies relating to equality issues as agreed by the authority 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.

8.2 Such policies would include: Equal Opportunities Policy.

8.3 Employees should note that cases of racial or sexual harassment are deemed to be gross misconduct under the Council's Disciplinary Procedure.

9 Separation

9.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the authority. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.

9.2 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

9.3 Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.

9.4 Employees contemplating a management buyout should, as soon as they have formed a definite intent, inform the appropriate manager and withdraw from the contract awarding processes.

9.5 Employees should ensure that 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.

10 Corruption

10.1 Employees must be aware that it is a serious criminal offence for them corruptly 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. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

10.2 Employees who are in receipt of or affect the receipt of Housing Benefit and/or other related benefits (i.e. Income Support, Unemployment Benefit, Incapacity Benefit, etc.) must be aware that the obtaining of such benefits by deception would be considered as theft against the Authority as the employer and would therefore constitute Gross Misconduct under the Council's Disciplinary Code of Practice.

10.3 In relation to 10.2 above, employees must provide the Town Clerk with details of their home address or in cases where more than one address is frequented the address that they normally class as their home. This does not include c/o addresses unless

there are special circumstances which management have been made aware of and are satisfied with. Similarly, changes of name should also be notified to the Town Clerk.

11 Use of financial resources

11.1 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 to the local community and to avoid legal challenge to the authority.

11.2 Employees should be aware of and adhere to the Council's Contract Procedure Rules and Financial Procedure Rules.

11.3 Where employees have concerns over the lawfulness of certain action they should express such concerns to the Town Clerk.

12 Hospitality and gifts

12.1 There can be little doubt that the acceptance of gifts by employees from persons who have, or may seek to have, dealings with the Authority would be viewed by the public with grave suspicion and would make the employee concerned and the Council extremely vulnerable to criticism.

12.2 An employee should tactfully refuse any personal gift which is offered to him/her or a close relative by, or indirectly attributable to any person or body who has, or may have, dealings of any kind whatsoever with the Council or, who has applied, or may apply, to the Council for any kind of decision.

12.3 The only exceptions to this rule are:-

- a) small gifts of only token value often given by way of trade advertisements to a wide range of people, e.g calendars, diaries, tape measures and similar articles of use in the workplace; or
- b) small gifts of only token value given on the conclusion of a courtesy visit, e.g to a factory, trade fair or other premises.

12.4 If there is any doubt about whether a gift may be accepted the gift should be politely and tactfully refused.

12.5 Employees are reminded that under provisions of Section 117 of the Local Government Act 1972, they are forbidden under the colour of their office and employment to accept any fee or reward other than their proper remuneration and any person who contravenes this provision would be liable to Court Proceedings.

12.6 In the event of an employee receiving a gift without warning, which does not fall in any of the exceptions mentioned above, this should immediately be reported to the Town Clerk who will be responsible for deciding whether the gift should be returned.

12.7 If any employee becomes aware that he/she has been included as the beneficiary in the Will of a client, for whom the Council offers or used to offer a service where there is a connection with the employee's work, the above rules apply. However, this does

not apply in the case of parents passing on an inheritance to their off-spring, or relatives naming a family member as a beneficiary in their will.

12.8 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.

12.9 When hospitality has to be declined the offerer should be courteously but firmly informed of the procedures and standards operating within the authority.

12.10 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.

12.11 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, where the authority gives consent in advance and where the authority is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, etc. are required, employees should ensure that the Authority meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

12.12 Employees must refuse offers of hospitality where any suggestion of improper influence would be inferred. Special caution is necessary where hospitality is offered by a person or body having or seeking business with, or a decision from the authority, particularly where the offer is to an individual employee.

12.13 There should be no cause for concern if the offer of hospitality is made by another non-commercial public body but all cases of hospitality must be treated with caution.

12.14 Hospitality should only be accepted where it is on a scale appropriate to the circumstances, reasonably incidental to the occasion and not extravagant and where it is apparent that no cause could reasonably arise for adverse criticism about the acceptance of hospitality.

13 Sponsorship - giving and receiving

13.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

13.2 Where the authority wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interest. Similarly, where the authority through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

14 Customer care

Standard of Dress and Appearance

14.1 There is a general expectation that dress will be appropriate

15 Interpretation

15.1 Any interpretation of this Code should be determined by the Town Clerk.

16 Disciplinary action

16.1 Any serious contravention of this Code may result in disciplinary proceedings.

17 Grievance procedure

17.1 An employee who has a grievance arising from the interpretation of the Code shall have access to the Council's Grievance Procedure.

17.2 Any officer who has been involved in an interpretation of the Code which results in a grievance should not be involved in the consideration of that grievance.

18 Application of code

18.1 The Code embodies general guidance for all employees of the Council. It is recognised, however, that specific arrangements may be made at departmental level to address circumstances/situations encountered by certain employees.
