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CODE OF CONDUCT FOR EMPLOYEES

1. Introduction

- 1.1 The public is entitled to expect the highest standards of conduct from all local government employees, whose role is to serve their authority in providing advice, implementing its policies and delivering services to the local community. In performing their duty employees are required to act in accordance with the following principles: selflessness, integrity, objectivity, accountability, openness, honest and leadership – these are underpinned by the key principles of public life.
- 1.2 This Code of Conduct provides a framework for your behaviour, decisions and actions as a public official. It is not an exhaustive list of what you can or cannot do, but aims to help employees understand the council rules that must be observed. If an employee is unsure or needs further guidance they can:
- **refer to this Code of Conduct and/or any policies, procedures, guidance or local rules and requirements that apply to your job**
 - **discuss the situation with their line manager**
 - **contact Human Resources for advice and guidance**
- 1.3 This code forms part of your contract of employment and you must comply with it. It is your responsibility to read this code and work in accordance with it.
- 1.4 This code applies to all employees and anyone engaged by the council to carry out work.

2. Dealing with the Council's money

- 2.1 Use any public funds entrusted to you in a responsible and lawful manner and ensure that you seek value for money for your community. You must act in accordance with the council's standing orders and financial regulations.
- 2.2 If you have direct responsibility for financial transactions, 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 spend.

- 2.3 If you live within the borough and claim any benefit from this council or another council (i.e. council tax or housing benefit) and fail to disclose your full earnings, the council will regard this very seriously and some cases may also be passed to the Police.
- 2.4 If you need to make a claim or notify any changes in in regard to your own council tax or housing benefit account then please contact the Head of the Revenues and Benefits Partnership in the first instance.
- 2.5 The deliberate falsification of documents is not acceptable. You should never falsify records, flexi time sheets, timesheets, or other documents, including those held electronically, to secure pay or another financial benefit for yourself or others. Employees should refer to the council's Anti-Fraud Policy.

3. Serving the public

- 3.1 The public have a right to the services the council provides. Always perform your duties to the highest standard and treat members of the public with dignity and respect, taking account of individual needs. Be honest, impartial and independent at work regardless of their personal views on the matter.
- 3.2 You are expected to work within the law. You must uphold the law at work and never break a law outside of work as this could damage public confidence in you or the Council. Notify the council immediately in writing if you are charged with or convicted of an offence, this will not normally affect your employment unless the offence damages public confidence in you or the council or makes you unsuitable or unable to do the job you do (such as driving ban or safeguarding matter).

4. Political Neutrality

Working in a political environment

- 4.1 In carrying out your work you must be politically neutral, be unbiased in the performance of your duties and respect the function and office of members, regardless of the party they represent.

Working with councillors

- 4.2 You serve the democratically elected council as a whole (all councillors). You must respect councillor's rights and not allow your personal or political views to interfere with your working with councillors. Close relationships between employees and councillors may be incompatible with high standards of public life and should be avoided.

Politically restricted posts

- 4.3 If you hold a post that is 'politically restricted' you are prevented from taking an active political role either in or outside of work. Holders of such posts are disqualified from membership of any local authority, other than a parish or community council, from being a Member of Parliament or a Member of the European Parliament, and from membership of the Scottish Parliament or Welsh Assembly.

5. Equalities

- 5.1 You should commit to implement equalities in all aspects of your work and this is fundamental to effective service delivery and working relationships. All members of the community, customers and colleagues have a right to be treated with fairness and equity.
- 5.2 You must follow and implement the council's Equality Policy which aims to ensure that nobody, whether employee or service user, is discriminated against because of a protected characteristic such as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity race, religion or belief, sex and sexual orientation.
- 5.3 You must treat colleagues, elected members and the public respectfully and with dignity. You must never discriminate against, harass or victimise any person.

6. Health and safety

- 6.1 You have a responsibility for your own health and safety and that of service users, members of the public or colleagues who may be affected by what you do.

Always:-

- work in accordance with the Council's Health, Safety and Welfare Policy and any instructions, information or training provided
- report health and safety hazards that you think are inadequately controlled and accidents and near misses that you have at work
- attend any medical examination as required (e.g. under the Council's Attendance Management Framework)
- when absent due to sickness, act sensibly to speed your recovery and return to work

7. Standards of Dress and Appearance

- 7.1 Managers will set standards of dress at local service level based on the following guiding principles:
 - employees are required to maintain a professional, business appearance that is appropriate to work they undertake (i.e. for those staff directly dealing with customers)
 - there is flexibility for employees who work directly with residents, and where it is important to dress in a way that they can relate to
 - where uniforms are provided these must be worn and not modified
 - clothing or jewellery worn for religious reasons is permitted, providing that it does not give rise to health and safety risks
 - clothing provided for health and safety reasons must be worn

8. Conflicts of interest

- 8.1 Never place yourself in a position where your honesty or integrity may be questioned and avoid conflicts of interests between your private interests and your public duties.

Make all decisions fairly, consistently and on merit, including when making appointments, awarding contracts, or recommending individuals for rewards, benefits of opportunities and ensure that they are documented.

Examples of conflicts of interest include (not an exhaustive list):

- Having links with an external organisation which may receive grants from the council, work for the council or supply goods and services to it (e.g. paid employment, consultancies, directorships/partnerships, significant holdings of shares or other financial securities, positions held as a councillor, governor or trustee, or trade union or pressure groups representative)
- As a manager, taking decisions relating to discipline, recruitment, pay promotion for an employee who is a relative, friend or partner
- As a purchasing officer liaising with a supplier that you, your partners, family or close associate have financial interests in

If you need to declare any interests or require further advice, please contact your manager or the HR Team.

Secondary employment or other business opportunities

- 8.2 You should get your manager's written approval before undertaking any other employment or business venture. Generally, this will be approved unless it conflicts with the interests of the council or could weaken public confidence in the conduct of the council's business.

Accepting gifts and hospitality

- 8.3 It is not normally acceptable to accept a gift, reward or favour from others for work carried out in your official capacity. Our residents have a right to the services they receive and the council rewards you for the work you do through your salary. Any gifts offered or accepted must be declared and recorded in the Register of Gifts and Hospitality. Please contact Rebecca Owen, Democratic Services.
- 8.4 You must never accept a gift or hospitality from anyone who is likely to tender for a council contract, seeking planning consent, or seeking employment from the council.
- 8.5 Offers of hospitality should be rejected by existing contractors i.e. invitations to dinners/events, unless there is a clear and demonstrable benefit to the council and the hospitality would not expose the council to criticism that the provider of the hospitality was achieving undue influence. Attendance must have the line manager's approval in advance, and must be recorded in the Register of Gifts and Hospitality.

Contracts

- 8.6 If you have an official relationship with existing and potential contractors and also have a relationship in a private or domestic capacity, you must declare that relationship to your manager. Where a contract awarding process is under way you must withdraw from, or otherwise play no part in that process.

Conduct outside of work

- 8.7 The council reserves the right to bring action against you if your conduct or behaviour outside work conflicts with your public duties where your conduct outside of work could undermine the council's reputation or bring the council into disrepute (such as serious misconduct or criminal offences committed during or outside working hours).
- 8.8 You should never undermine the council (or its partners) in its business or allow standards of behaviour to fall below those expected of the local community you serve (i.e. not paying debts owed to the council).

Relationships

- 8.9 If you are in a close relationship with a colleague within the council we encourage you to declare that relationship to your manager. If the relationship is between a manager and an employee whom he/she supervises, the council reserves the right (without breach of contract) to require one or both employees to change their roles or duties. This is intended to avoid the employees in that relationship, finding them in a potentially difficult situation and perceptions of undue influence or unfairness (whether real or perceived).

Appointments and other employment decisions

- 8.10 You should not be involved in an appointment, either on an appointment panel or as a referee, if you are related to an applicant or have a close personal relationship with them outside of work. This also includes decisions relating to employment such as discipline or pay. Candidates who apply for roles within the council must disclose any relationship (family or friendship) with a council member or a current employee when making an application.

9. Accountability

Employee contract

- 9.1 Follow all reasonable instructions given by your manager; or any other person with the authority to give you instructions at work. You must respect their role which means accepting that you may not always agree with all of their decisions. You must report to your manager anything that impairs your ability to do your job.

Equally, your manager will:-

- ensure that you understand what is required of you at work and fairly and objectively
- treat employees fairly and with dignity and respect
- promote the principles of fairness and equality in the workplace
- consult and inform employees about change and on matters affecting the council
- provide a safe and secure working environment
- provide you with opportunities for training and development

10 Public and Social Media

- 10.1 Any requests from journalists must be referred to the Communications Team. You must not publish articles or views in print or on the internet about council business without express permission for your director or clearances from the Communication Team. The council respects the right to a private life and employees are encouraged to use their discretion on social media sites at all times. When expressing personal views you must not appear to speak for or about the council i.e. referring to your job at HBBC. Please refer to the Social Media Policy for guidance.

11 Council Resources

Council's facilities, property and equipment

- 11.1 The council's property, facilities and equipment are provided for official council business. **Never use inappropriately, waste or damage it.** You should not use council facilities or property for private purposes unless authorised by your manager. All council owned facilities must be returned on leaving council employment.
- 11.2 Employees are not permitted to use their work vehicle for any private purpose, or to carry private goods. Some employees may be required to take a Council vehicle home overnight in order to facilitate more efficient working and travel straight to site. These employees are not permitted to use the vehicle for any other purpose other than travelling between their home and work site. Please refer to the Acceptable Use of Vehicles Policy for more information.

Use of Council Communication Systems

- 11.3 Personal use of the council's network is not permitted. The council has the right to access and monitor communication systems provided to employees and will monitor usage of its communication systems e.g. telephone, email and internet access, to ensure its proper use and will run reports detailing usage of staff.

Mobile Phones

- 11.4 Employees issued with work mobile phones or other mobile devices provided by the council should only be used for business use.
- 11.5 The council recognises in exceptional circumstances it may be necessary for employees to make or receive calls on personal mobiles during working hours; personal use should be brief and made using your breaks where possible.

Council's information and records

- 11.6 The Council holds information and records on behalf of the public to enable it to carry out its functions. You must handle this information, including personal and sensitive data, in accordance with the Information Governance Framework including the Data Protection, IT Security and Sharing policies. You must ensure that appropriate records are created, stored, accessed and disposed of securely, and in line with legal requirements, confidentiality rules and these policies.

Intellectual Property

- 11.7 The council retains the intellectual property rights for work created in the course of your normal duties e.g. research, reports, designs, drawings, software development or similar work. No property of the council should be removed from the council premises or passed on to another person acting on behalf of the employee to a third party, without express consent of the council.
- 11.8 You are not permitted to use any work which they or others have created, whilst in the employment of the council, for personal or financial gain without the express consent of the council.

12 Breaches of the Code of Conduct

- 12.1 Any breach of the Code of Conduct may result in disciplinary action. Please refer to the disciplinary policy for further information regarding the process and timescales. Please note that some breaches (known as gross misconduct) can be serious enough to justify dismissal for a first offence, and without notice. Examples are set out in Appendix 1 of this Code.

13 Reporting breaches of the Code and whistle-blowing

- 13.1 The council is committed to the highest standards of public life and to preventing malpractice, fraud and corruption. If you are concerned about any practice that you think conflicts with this Code, you should report these to your manager or the HR Team. If you have concerns about theft, fraud and other malpractice in the workplace you can report these anonymously and confidentially to the council's Monitoring Officer, Julie Kenny:

Phone: 01455 255985

Email: julie.kenny@hinckley-bosworth.gov.uk

Appendix 1

Gross Misconduct – Examples

Any breaches of the Code of Conduct will normally result in disciplinary action. Some breaches (known as gross misconduct) could be serious enough to justify the council in dismissing staff for a first offence, and without notice. It is possible that other conduct, not in itself a breach of the Code of Conduct may also amount to gross misconduct. As a guide, any act which destroys the relationship of trust and confidence that the council needs to have in an employee will constitute gross misconduct (below).

Please that this is not a complete list

- Conceal any serious matter they should reasonably have known to report
- Cause loss, damage or injury through serious negligence (e.g. resulting in a loss to the Council)
- Act negligently or recklessly in a way which leads to a serious breach of the Data Protection Act
- Try to obtain a job by lies or deception
- Refuse to carry out a legitimate instruction from their manager
- Threaten, instigate a fight with or assault anyone
- Steal or damage things that belong to someone else or to the council
- Commit any deliberate acts of discrimination, harassment or bullying
- Sell/possess illegal drugs in the workplace
- Consume alcohol in the workplace (unless they have been given permission by their line manager for an event – i.e. Christmas Party)
- Seriously breach health and safety rules
- Do private work when they should be at work for the Council
- Submit false or fraudulent claims to the Council or other bodies
- Breach financial (or other Council) regulations
- Break a law at work which makes them unfit for the work they do
- Refuse to repay any debt they owe to the Council
- Obtain council services, property or money by fraud (e.g. falsify time sheets)
- Ask for or accept bribes, gifts or favours