

# **PATCHWAY TOWN COUNCIL**

## **Code of Conduct for Employees**

### **Aims and Objectives**

The public is entitled to expect the highest standards of conduct of Council employees. The aim of this Code is to ensure that the rules and standards that the Council expects of its employees are clear. Breaches of the standards set out in the Code will be dealt with through the Disciplinary Procedure.

### **Scope**

The provisions of the Code will apply to all Council employees, volunteers, casual workers, consultants and anyone else who is providing a service on behalf of the Council in all activities in which they are engaged in the course of their employment, whether or not they take place at their normal place of work.

### **Roles and Responsibilities**

It is the responsibility of all employees to read, understand and work in accordance with the Code of Conduct and to:

- Maintain conduct of the highest standard such that public confidence in their integrity is sustained
- To be fair and honest in all activities at work
- Incorporate and promote equality and diversity in all that is done
- Ask for clarification on any aspects of the Code when there is uncertainty
- Take appropriate action at the earliest opportunity to report noncompliance with the standards of the Code.

### **The Employee Code of Conduct**

#### **1. Public Concern**

The public expects conduct of the highest standards from Council employees and their confidence would be shaken if the least suspicion arose that any employee might be influenced by improper motives.

An employee must not in his/her official capacity, or any other circumstance, conduct himself/herself in a manner which could reasonably be regarded as bringing the Council into disrepute.

#### **2. Corruption**

Employees who have public funds or assets entrusted to them must use them responsibly and lawfully. It is a serious criminal offence for employees to receive or give any gift, loan, fee, reward or advantage for acting or failing to act or for showing favour or disfavour to any person in their official capacity.

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### 3. Declaration of Interest/potential conflicts of interest

Conflicts of interest may occur if a decision of the Council could affect you, or close friends and relatives, either positively or negatively.

Definition of “Relative”

A relative means a spouse (husband or wife), partner, parent, parent-in-law, son, daughter, stepson, stepdaughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons.

Examples of potential conflict of Interests could include

- involvement with businesses which have existing or proposed contracts with the Council
- membership of organisations or groups which may oppose Council policies
- roles undertaken outside of work (e.g. acting as a school governor, a member of an NHS trust board).

You should ask yourself the question “Would a member of the public think that my family or I would benefit from the connection between my personal interest and my employment?”

If the answer is yes then you must declare the interest by informing the Clerk at the earliest opportunity. A Staff Register of Interest/potential conflicts of interest form should be completed and held by the Clerk. However, individuals are free to take part in activities organised and authorised by the Trade Unions without declaring an interest.

Under section 117 of the Local Government Act 1972 you must disclose any interest in an existing or proposed contract in writing as soon as is reasonably practicable.

### 4. Private Purchasing

Employees must not use the Council’s purchasing systems to purchase items for private use or to secure personal advantage. Employees are not entitled to receive any discount or advantage as a result of their employment with the Council unless this is permitted by the Clerk.

### 5. Equality

Employees must ensure that they treat colleagues, members of the public and Councillors fairly, impartially and with dignity and respect.

Employees must not discriminate unlawfully against any person and treat members and co-opted members of the authority professionally.

Employees are expected to treat each other with respect and in a manner which is professional, courteous, non-aggressive and helpful.

If you have any involvement in making appointments you should ensure that your decisions are based only on the ability of the candidate to undertake the duties of the post. If any applicant is a close personal friend or relative you must not be involved in the appointment process.

You should not be involved in any decisions relating to discipline, pay or promotion of close personal friends or relatives.

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## 6. Political Neutrality

Some employees may be required to provide information and advice to individual Councillors. In so doing, they must ensure that they remain politically neutral.

## 7. Copyright

All records, documents and other papers relating to the Council's business which are made or obtained by employees in the course of their employment are the property of the Council. The copyright on all such documents belongs to the Council.

## 8. Committee procedures and contact with the media

Employees must not disclose to the public or media the contents of a confidential or exempt report made to a Committee or the Council. Where a Committee considers matters in confidential session, those proceedings, including all documentation before the Committee, must not be disclosed to members of the public unless required by law or expressly authorised. Employees must not make statements on matters of policy to the media without consulting the Clerk.

## 9. Confidential Information

Employees will often receive written, oral and computerised information which is of a confidential nature. Employees must be aware which information in the Council's possession is classed as confidential and act accordingly. Information which is classed as confidential must not be disclosed except where there is a legitimate reason to do and not otherwise unless specific approval has been given by the Clerk. If there is doubt about whether information can be disclosed, employees must consult with the Clerk. Deliberate disclosure of confidential information may be considered gross misconduct and may result in dismissal under the Council's Disciplinary procedure. It may also be a criminal offence and lead to criminal proceedings during and potentially after the employee's employment has ended.

## 10. Personal Information

Employees must not provide information held by the Council about Councillors, members of the public or personal information concerning other employees without their consent. Exceptionally, such information may be disclosed where it is allowed in law, where it is necessary to co-operate with the investigations of official agencies and in the provision of confidential employer references. Employees must maintain the confidentiality of all personal information that they have access to in the course of their employment. Deliberate disclosure of personal information may be considered gross misconduct and may result in dismissal under the Council's Disciplinary procedure. It may also be a criminal offence and lead to criminal proceedings during and potentially after the employee's employment has ended.

## 11. Relationships Personal Relationships

Employees must declare to the Clerk any situation where their impartiality, objectivity, or honesty may be compromised due to their being related to or having a close personal relationship with someone at work. Councillors - Mutual respect between employees and Councillors is essential to good local government. Employees are required to observe the Protocol on Member/Officer Relations. Local Community and Service Users - Employees have responsibilities to all residents of the Town Council and must ensure courteous, efficient and impartial service delivery to all groups and individuals. Contractors/Procurement - Orders and contracts must be awarded impartially and on merit through fair competition in accordance with procedure rules and legal provisions.

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Employees whose work involves the procurement, appointment or supervision of contractors must disclose any former or current private or official relationship with relevant contractors to the Clerk. When a conflict of interest is disclosed, the Council reserves the right to remove the employee from any areas of direct or indirect involvement in the matter concerned.

#### 12. Confidential reporting procedure (Whistleblowing)

The Council is committed to the highest possible standards of openness, probity and accountability, and expects employees who become aware of activities which they believe are illegal, improper, unethical or otherwise inconsistent with this Code to report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998. Employees must ensure that public interest and assets are protected by reporting immediately to the Clerk or Chairman any concerns about dishonesty or impropriety which they suspect has occurred or is likely to occur. If an employee makes an allegation which it transpires is frivolous, malicious or for personal gain, the Council will treat this as a serious matter which may lead to disciplinary action. Employees must assist in any investigation or hearing into suspected misconduct.

#### 13. Health and Safety

The Health & Safety at Work Act 1974 places a duty on employees, whilst they are at work, to take reasonable care for the health and safety of themselves and others. Consequently, employees are legally bound to comply with all safety rules and instructions set by the Council.

#### 14. Other employment

Employees must not allow their private interests to come into conflict with their work. Employees must devote their working hours to the work of the Council and may not engage in any other business or take up any other additional employment without the written permission of the Council. This does not preclude employees from undertaking additional work outside their working hours providing that it does not impact on, distract them from or conflict with their Council work and is subject at all times to written permission being granted. All employees who undertake additional work (either paid or voluntary) must notify the Clerk in order to ensure compliance with the Working Time Regulations 1998.

#### 15. Alcohol, drugs and other substance misuse

The Council takes the health and well-being of employees seriously and wishes to minimise problems at work arising from the effects of alcohol and drugs (whether prescribed or illegal). Where the behaviour or performance of employees falls below expected standards and presents a risk to colleagues, Councillors, members of the public or others due to alcohol, drugs or other substance misuse, this will be addressed under the Disciplinary policy.

Employees have a duty to report any medical conditions and prescribed medication they are taking to the Clerk and any other problems associated with their ability to drive, use equipment or perform other work related tasks and must not drive or use such equipment whilst their judgment and/or physical ability may be impaired by the use of alcohol, drugs, medicines or fatigue. Random alcohol and or drug tests may be required to ensure appropriate safety standards are being complied with.

#### 16. Use of Social Media

Social media is the term commonly given to websites and online tools which allow users to interact with each other in some way – by sharing information, opinions, knowledge and interests. Examples of social media websites include (this list is not exhaustive):

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- social networking (e.g. [www.facebook.com](http://www.facebook.com))
- video sharing (e.g. [www.youtube.com](http://www.youtube.com))
- blogs (e.g. [www.london2012.com/blog](http://www.london2012.com/blog))
- micro-blogging (e.g. [www.twitter.com](http://www.twitter.com))
- message boards (e.g. <http://forums.moneysavingexpert.com>)
- wikis (e.g. [www.wikipedia.org](http://www.wikipedia.org))
- social bookmarking (e.g. [www.delicious.com](http://www.delicious.com))

All members and employees will not interact in a way on social media that has a negative or detrimental impact on Patchway Town Council.

Access needs to be handled in a sensible and considered way so that neither you nor the Council is put at potential risk of embarrassment, loss, disciplinary action or criminal proceedings.

The Council acknowledges the right of employees to freedom of expression; however, you must be aware of the potential legal implications of material, which could be considered abusive or defamatory.

In order to ensure confidentiality and the reputation of the Council are protected, you are required when using Social Networking sites to:

Ensure that you do not conduct yourself in a way that is detrimental to the Council

- Not refer to your employer, other employees, or your employment with the Council in a way that is detrimental to the Council or its employees.
- Not publish any content, which may result in actions for defamation, discrimination, breaches of confidentiality or copyright, data protection or other claims for damages. This includes, but is not limited to, material of an illegal, sexual or offensive nature that may bring the Council into disrepute
- Not post images of clients, service users or incidents that take place during work
- Not send or post abusive or defamatory messages. Social networking websites are a public forum; do not assume that your entries on any website will remain private
- Take care not to allow your interaction with others on these sites to damage working relationships between members of staff, clients, service users or partner agencies
- Not use Council logos on personal web pages
- Be aware that information shared with a third party could be published by them and attributed to you implicitly or explicitly You should always use your own judgement but should bear in mind the principles of the Code of Conduct and other policies which are part of your professional and employment requirements.

You should notify the Clerk:

- If you receive press or media contact regarding the content of your personal web page which relates to your employment or the work of the Council
- If you feel you are, or someone else is, subject to abuse by colleagues through use of a social networking site which has some reference to either parties being under the employment of the Council

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- If you are unsure as to the appropriateness of information or images you want to publish on your personal web page.

Other things to consider include:

- Journalists increasingly use the web to research stories and may report photographs or comments they may find. Similarly, customers and clients are able to search the Internet for information on Council staff they have involvement with. Check your security settings on social networking sites so that your information is only visible to the people who you want to see it
- Put your name into an Internet search engine to see what people can find out about you. Are you happy with what they can see?
- Help your friends and colleagues out – let them, or your manager know if you notice things on social networking pages that might be misconstrued.

Any inappropriate social use of the Internet outside the workplace could result in disciplinary action if it brings the Council's reputation into disrepute, destroys working relationships or it exposes the Council to potential liabilities.

#### 17. Safeguarding

The Council has a statutory duty to ensure the safety and welfare of children, young people and adults at risk. All employees who, during the course of their employment, have direct or indirect contact with children or adults at risk, or who have access to information about them, have a responsibility to safeguard and promote the welfare of children and adults at risk. The Safeguarding Policy is available from the Clerk and compliance with it is mandatory.

#### 18. Personal appearance

The Council expects employees to observe a standard of personal appearance which is appropriate to the nature of the work undertaken, follows operational requirements and which portrays a professional approach which the public will have confidence in. Employees are expected to observe a high standard of cleanliness and personal hygiene.

#### 19. Hospitality and Gifts

With the exceptions listed below, employees must refuse any personal gift offered to them that has any significant financial or other business connection to the Council. In monetary terms, this is any gift or combination of gifts valued at over £10. If employees are in any doubt, they must refer this to the Clerk immediately. Exceptions to this requirement are:

- a) A modest gift of a promotional nature given to a wide range of people, such as pens, diaries and other such articles; and
- b) A modest gift where refusal would cause needless offence and the giver is not seeking a business decision but merely wishes to express thanks for service, advice or co-operation received, for example a box of chocolates or a bottle of wine.

At all times employees must consider if the gift is so significant that a member of the public may think that their judgment when dealing with the matter would be prejudiced by the gift.

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\*\* Where any of this code relates to the Clerk individually, then he/she will notify the Chairman accordingly.