



East Herts Council

Officer's Code of Conduct

Policy Statement

**Policy Statement No 14 (Issue No 2)
January 2013**

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CODE OF CONDUCT

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1.0 Introduction

1.1 The public are entitled to expect the highest standards of conduct from all Council employees. This code incorporates points from existing laws, regulations and conditions of service for the guidance of all staff. The aim of the code is to help maintain and improve standards and protect employees from misunderstanding or criticism; it must be read and followed by all employees. This code is complementary to the Council’s policies and procedures, which give fuller details on some items. All of the Council’s policies and procedures can be accessed via the Intranet.

1.2 This code applies to all staff including those professionally qualified staff who may be subject to codes of conduct or ethics imposed by their own professional bodies. In the unlikely event of a conflict arising between this code and an external code or requirement then the officer concerned must refer the issue to the Monitoring Officer for guidance.

2.0 Standards and behaviour

2.1 Council employees are expected to give the highest possible standard of service to the public, customers and provide appropriate advice and information to Councillors and fellow employees. These standards apply equally to all interactions, whether they are face-to-face or undertaken through the use of online media.

2.2 The Council’s Dignity at Work statement sets out the behaviours expected of staff when dealing with each other and members of the public. These are detailed below.

- We need to listen to, value and respect each other as individuals with a contribution to make to ensure that East Herts Council achieves its aims.
- Everyone is different and has something unique to offer. East Herts wants to respect and understand these differences and to make the most of everyone’s talents.

- The Council’s Corporate Management Team and managers at all levels will demonstrate their commitment to promoting equality and diversity.
 - All staff have a personal responsibility to treat everyone with respect, consideration and without prejudice and to promote the same levels of behaviour in colleagues.
- 2.3 Employees are expected to report any deficiency in the provision of service to the appropriate manager. They must report any impropriety or breach of rules or procedure to the manager concerned. Concerns about another employee can be raised through the Disclosure (Whistleblowing) Code. Any disclosure raising suspicion of wrong-doing by a Member of the Council could result in being dealt with as a breach of the Members’ Code of Conduct.

3.0 Working within the law

- 3.1 It is very important that the Council and all staff work within the law. In order for Council decisions and actions to be held to be reasonable in law, the Council must carry out its business in a way that is rational, proper and fair. Unlawful behaviour at, or even away from work could result in a loss of trust and confidence in the employee or the Council.
- 3.2 It is important that employees uphold the law at work, and it is important that staff do not break a law away from work which could damage public confidence in them or the council, or makes them unsuitable for the work they do. This includes, for example:
- submitting false or fraudulent claims to the Council or other public bodies (e.g. income support, housing or other benefit claims)
 - breaching copyright on computer software
 - crimes of dishonesty which might make an employee unfit to hold a position of trust
 - accepting a bribe

- 3.3 If employees are charged with or convicted of a crime which may affect their job they must inform their line manager or Human Resources immediately.

4.0 Communication

- 4.1 The way we communicate is key to helping us achieve the Council’s vision and priorities. The Council’s Communication Strategy sets out a framework to enhance and protect the reputation of East Herts by proactively and systematically providing clear, co-ordinated and effective communication and engagement. The strategy is also designed to complement the council’s engagement with its communities and stakeholders by communicating through partnerships and networks of influence.

5.0 Disclosure of information

- 5.1 The law requires that certain types of information must be available to Members, auditors, government departments, service users and the public. Managers will advise their staff what information should be given and what is confidential. Personal information is generally considered to be confidential and anyone in doubt should check with their manager prior to providing information to contacts.
- 5.2 Employees should not use any information, obtained in the course of their employment, for personal gain or benefit, nor should they pass it to others who might use it in such a way. Any personal information from a Councillor should not be divulged without the Councillor’s approval, except where required by law.
- 5.3 Employees must not communicate confidential information or documents to others who do not have a legitimate right to know.
- 5.4 Where information is disclosed, this must be done in accordance with the requirements of the Data Protection Act 1998 and Freedom of Information Act 2000.

6.0 Social media

- 6.1 Employees should exercise caution when using personal social networking websites and must not:
- Comment on the work of the Council such that it brings the authority into disrepute.
 - Comment on other members of staff or Members of the Council.
 - Conduct yourself in a way that brings the authority into disrepute.
 - Allow your interactions to damage working relationships between members of staff, Members and any of the Councils’ residents, clients or customers.

Please see the Social Media Policy for further information.

7.0 IT facilities

- 7.1 The Council’s IT systems are essential for the successful operation of Council business. Employees must read the IT User Policy so that they understand how to use the IT systems effectively.
- 7.2 Please note that the use of the Internet, Email and other systems will be monitored in accordance with IT policies and if appropriate disciplinary action may be taken in accordance with the Council’s Disciplinary Policy if misused.

8.0 Mobile telephone and smartphone usage (including SMS, instant messaging etc)

- 8.1 Mobile telephones may be used for private purposes during working hours, if kept on silent or vibrating alert. Such use must be reasonable and kept to a minimum e.g. in the case of an emergency, and should no way interfere with the employee’s work.

9.0 Intellectual property rights, copyright etc

- 9.1 Any inventions, writings or drawings created in the course of an employee’s normal duties are considered the ‘intellectual property’ of the Council and should not be passed on to another party without the permission of the employee’s manager.
- 9.2 Employees must not infringe copyright. Downloading, copying and/or distribution of copyright material including literature, text, music, sound, pictures, software and electronic files is prohibited unless the employee has the correct licences or permissions.

10.0 Health and Safety

10.1 The Council accepts and will meet any statutory obligations by making, so far as reasonably practicable, every effort to provide a safe and healthy work environment for all its staff and ensure that all steps are taken to protect the health and safety of its service users. The Council has agreed a number of policies in relation to Health and Safety to which staff should refer. These are:

- Health and Safety Policy
- Alcohol, Drugs and Substance Misuse Policy
- Smokefree Workplace Policy
- Managing Violence and Aggression in the Workplace Policy

10.2 All employees have a duty of care to themselves and to others to ensure that they undertake their duties safely and responsibly by:

- following the Council’s Health and Safety policies, procedures and arrangements
- working in a safe manner so as not to cause harm to themselves or others by their acts or through their omissions
- reporting all work related accidents in a timely fashion and not assuming that this notification will have been undertaken by another person
- using all safety clothing and any appropriate equipment provided for their work correctly and reporting any failure or defect of such equipment to their line manager

- attending any medical examination where required under Council Procedures
- informing their manager if they are taking any medication or are undergoing any medical or physical treatment that may harm their ability to do their job safely.
- complying with hygiene and good housekeeping standards practices.

11.0 Political neutrality

11.1 Employees provide services for all Members and must ensure that their individual rights are respected.

11.2 Some employees may be required to advise political groups and must do so in ways which do not compromise their political neutrality.

11.3 Employees must follow lawful expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work.

11.4 Any political assistants, appointed in accordance with the Local Government and Housing Act 1989, are exempt from the standards set in 11.1 to 11.3 above.

11.5 Employees holding politically restricted posts are disqualified from membership of any local authority other than a Parish or Community Council and from being an MP or MEP. The Council will maintain a list of these posts and advise the postholders concerned.

12.0 Relationships

12.1 Members - Mutual respect and trust between employees and Members is essential. Close personal relationships between employees and Members can damage the working relationship with the Council and therefore should be avoided where possible.

12.2 The Local Community and Service Users - Employees should always remember their responsibilities to the community and

should ensure courteous, efficient and impartial service to all groups and individuals within it.

- 12.3 Contractors - All relationships with external contractors, or potential contractors, should be made known to the appropriate manager.

13.0 Employment matters

- 13.1 Employees involved in appointments should ensure that these are made on the basis of merit and ability of the candidates. Employees should not be involved in an appointment where they are related to or have a close personal relationship outside work with an applicant.

- 13.2 Employees should not be involved in disciplinary or grievance procedures, promotion or pay adjustment for any other employee who is a relative or who they have a close personal relationship with.

- 13.3 Every candidate for any appointment must disclose in writing if they are related to any member or senior officer of the Council. A reference to this disclosure is included in the Application Form for Appointment, which must be completed by anyone applying for a post.

14.0 Outside commitments

- 14.1 The Council recognises that employees' off-duty hours are their personal concern but they should not put themselves in a position where their official role and private interests or activities conflict. Staff should also consider the interests of other authorities that the Council has formal shared service arrangements with.

- 14.2 Employees should not undertake outside work if this would overlap with their official duties or cause a conflict of interest. Officers require annual written consent to take any outside employment, from their Director.

15.0 Personal interests

15.1 Employees must:

- not allow their private interests to conflict with the interests of the authority;
- not use their position to improperly confer an advantage or disadvantage on any person;
- comply with any requirements of the authority to register or declare interests, and
- comply with any requirements of the authority to declare hospitality, benefits or gifts received

16.0 Equality issues

16.1 All employees must comply with the Council’s Diversity and Equalities Policy.

16.2 East Herts Council is firmly committed to providing and promoting equality for all its employees and the wider community. The Council’s Diversity and Equalities Policy aims to ensure equality influences the way we provide services and the employment of staff. To achieve this we will endeavour to create an environment in which there is respect for every individual and recognition that no member of the public, employee, potential employee, service user or Member will be discriminated against irrespective of their gender, race, ethnicity, colour, marital status, disability, age, sexuality, family responsibilities, religion, trade union involvement or political beliefs.

17.0 Tendering issues

17.1 Employees involved in tendering and dealing with contractors should be clear on the separation of client and contractor roles within the Council. Employees must follow the procedures and rules incorporated in the Council’s Financial Regulations, Financial Procedures, and rules/procedures relating to Contracts and procurement requirements. Senior officers who have a client and/or contractor responsibility must be aware of the need for accountability and openness.

- 17.2 Orders and contracts must be awarded on merit, in accordance with the Council’s procurement regulations and demonstrating best value has been achieved. Officers must demonstrate impartiality. No part of the community should be discriminated against.
- 17.3 Employees in client or contractor units must exercise fairness and impartiality when dealing with customers, suppliers, other contractors and sub-contractors.
- 17.4 Employees who have access to confidential information on tenders or costs, for either internal or external contractors, must not disclose that information to any unauthorised party, subject to the Freedom of Information Regulations.
- 17.5 Any employees contemplating a management buy-out should inform their manager as soon as they have formed an intent and withdraw from the contract awarding process.
- 17.6 Employees should ensure that no preferential treatment is shown to current or former employees, or their partners, relatives or assistants, in awarding contracts to businesses run by or employing them in a managerial capacity
- 18.0 Corruption**
- 18.1 Employees must be aware that it is a serious criminal offence for them to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour or disfavour to anyone in their official capacity. If an allegation is made, the employee would have to demonstrate that any such rewards have not been obtained corruptly.
- 19.0 Use of financial resources**
- 19.1 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 community and behave in a way that minimises a risk of legal challenge to the authority.

19.2 Employees must comply with the Council's Financial Regulations and Procurement Regulations to safeguard assets and the use of financial resources.

19.3 Employees should inform their Director, who will in turn inform the Director of Finance and Support Services, the Head of Paid Service and the appropriate Head of Service of any irregularity or suspected irregularity.

19.4 The Council has an Anti-Fraud and Anti-Corruption Strategy, Disclosure (Whistleblowing) Code and a Policy on Bribery. All staff must familiarise themselves with the contents of these documents.

20.0 Gifts and hospitality

20.1 Employees should not accept significant personal gifts from contractors or suppliers. Small individual tokens of a value not exceeding £20 such as pens, calendars and diaries are acceptable. If there is any doubt, the gift should be politely and tactfully refused. If any significant gift is sent, this should be reported to their Director, who will advise if it may be kept or returned. All gifts and offers of gifts should be recorded in the registers of gifts and hospitality, which are held by the Executive Support Team on behalf of the Corporate Management Team. A copy of the proforma used for registering the acceptance or refusal of gifts and hospitality is available on the Intranet.

20.2 Contract tender documents should prohibit acceptance of gifts.

20.3 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 social, entertainment or sporting functions should be recorded and only be accepted when authorised by their Director and recorded in the register of gifts and hospitality, which is held by the Executive Support Team. In cases of acceptance an estimate of the value together with a reason for acceptance must be recorded.

- 20.4 When gifts or hospitality have to be declined, those making the offer should be courteously informed of the standards operating within the Council.
- 20.5 Acceptance by employees of hospitality at conferences and courses is acceptable where it is clear that the hospitality is corporate rather than personal and where the visit has been authorised. Any such hospitality should be recorded. Where visits to inspect equipment or other items are required, employees should ensure the Council meets the cost of the visit to avoid jeopardising the integrity of any purchasing decision.
- 20.6 Employees must not seek or accept discounts or other preferential rates on private purchases of goods or services based on the fact that they are a Council employee. Discounts offered by organisations that have been formally agreed and accepted as part of the Council's employee benefits package are not prohibited. A full list of employee benefits is available on the Intranet.

21.0 Sponsorship - Giving and Receiving

- 21.1 When an outside organisation wishes to sponsor a council event, the basic conventions concerning acceptance of gifts and hospitality apply. Acceptance of any support must come about through a transparent decision making process and the support accepted must be recorded.
- 21.2 Where the Council wishes to sponsor an event or service, no employee, partner or relative must benefit from the sponsorship in a direct way without there being a full disclosure to the appropriate Director of any such interest.
- 21.3 When the Council gives support in the community, through sponsorship, grant aid or other means, employees should ensure that impartial advice is given and there is no conflict of interest involved.

22.0 Standards of dress

- 22.1 The Council considers the way employees dress and their appearance to be of significant importance in portraying a professional image to all users of its services whether Councillors, visitors, residents of the district or colleagues.
- 22.2 All employees are individually responsible for their general presentation, appearance and personal hygiene, and have a responsibility to consider how others may perceive their appearance.
- 22.3 Employees are expected to dress appropriately for the duties of their post and are encouraged to adopt a common sense approach with regard to the clothing and jewellery that they wear to work. All external business meetings and contact with the public will require business dress, while more casual approach is permissible for staff working in the back office environment.

23.0 Policy review and amendment

- 23.1 This Policy shall be reviewed after two years or sooner in line with legislation and best practice to reflect the best possible level of support and management.