

# Part 6B: Officers' Code of Conduct

## 1 Introduction

- 1.1 The Public is entitled to expect the highest standards of conduct from all Council employees ('officers'). The role of officers is to serve the Council in delivering services to the community, providing advice and implementing its policies. Where it is part of your duties, you are expected to provide appropriate advice to Councillors ('members') and fellow officers with total impartiality. In performing their duties each officer must comply with this Code of Conduct.
- 1.2 This Code applies to all Council employees both in their substantive posts and when representing the Council on external boards, committees, etc. It also applies to staff in schools where the Code has been adopted by the Governing Body as the employer. Schools should consider whether amendments are required prior to adoption, for example where they do not have access to online reporting tools.
- 1.3 This Code sets out the minimum standards that apply to officers. It may be supplemented and clarified by Directorate guidance as appropriate.
- 1.4 Employees should note that any breaches of this Code may lead to action under the Council's HR Policies and Procedures. In addition, breach of certain elements of the Code can constitute a criminal offence, which may be referred to the Police.
- 1.5 This Code supplements, and does not replace any code or recognised standards of conduct endorsed by any professional body of which an officer is a member.
- 1.6 If officers have any queries or are uncertain about its content, they should contact their immediate supervisor for advice.

## 2 Standards

- 2.1 The Council expects that all officers will demonstrate the following key behaviours in every aspect of performing their duties:

### **Selflessness**

You must take decisions based solely on the public interest. You must not allow your private interests to conflict with your professional responsibilities.

**Integrity**

You must not place yourself under any obligation to people or organisations that may, or may appear to, inappropriately influence your work.

You must not act or take decisions in order to gain financial or other material benefits for yourself, your family, or your friends.

You must declare and resolve any interests and relationships.

**Objectivity**

You must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**Accountability**

You are accountable to the Council, which is in turn answerable to the public, for your decisions and actions and you must submit yourself to the scrutiny necessary to ensure this.

**Openness**

You must act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for doing so.

**Honesty**

You must be truthful at all times.

**Duty**

You must uphold the law and act in accordance with the Council's Constitution and the public trust placed in you. You have a duty to act in the interests of the Council as a whole and all communities served by the Council.

**Respect**

You must respect all other officers, members, partners and the public. You must not act in a disrespectful way towards any individual because of a protected characteristic or for any other reason.

**Leadership**

You must exhibit the above principles in your own behaviour. You must actively promote and robustly support these principles and be willing to challenge poor behaviour wherever it occurs.

### **3 Expected Behaviours**

3.1 Officers are expected to display the following behaviours:

- (a) Communicate in a clear and constructive way.
- (b) Act with honesty and respect for others.

- (c) Demonstrate a positive flexible attitude.
  - (d) Take responsibility for our actions.
  - (e) Be committed to 'One Team'.
- 3.2 These are the agreed employee behaviours that have been developed through a process of staff engagement and are used across the council to promote positive behaviours amongst staff.

## **4 Political Neutrality**

- 4.1 You serve the Council as a whole and must therefore serve all members equally and ensure that the individual rights of members are respected.
- 4.2 Where you are required to advise political groups you must do so in ways which do not compromise your political neutrality. All officers, whether holding politically restricted posts or not, must not allow their own personal or political opinions to interfere with their work.

## **5 Key Stakeholders**

### *Members*

- 5.1 Officers and members are both indispensable elements of ensuring the Council functions effectively and that services are provided to residents.
- 5.2 Mutual respect between officers and members is essential to good local government and working relationships should always be kept on a professional basis. You should avoid close personal familiarity with individual members as this could prove embarrassing to other officers and members.

### *The Local Community*

- 5.3 You should always remember your responsibilities to the community you serve, and ensure courteous, efficient, and impartial service delivery to all groups and individuals within that community as defined by the policies of the Council. You should deal with the public, members and other officers sympathetically, efficiently and without bias.

## **6 Equality**

- 6.1 All members of the local community, members and other officers of the Council have a right to be treated with fairness, respect and equity. This right is set out in the Equality Act 2010. You must ensure you meet this

expectation and ensure that all policies relating to equality issues as agreed by the Council are complied with.

- 6.2 In addition to the above, to comply with the Public Sector Equality Duty, the Council has developed a set of Equality Objectives which all officers must strive to achieve. The Council's Equality Objectives are to:
- (a) Provide equality of opportunity through access to services for all and delivering services which meet the needs of our customers;
  - (b) foster good relations by understanding the communities we serve and create meaningful engagement and
  - (c) eliminate discrimination through the review of our operational and work place policies and procedures.
- 6.3 The Council also recognises that all individuals have fundamental human rights and therefore adopts a rights based approach to equality. Under the Human Rights Act 1998 you have an obligation to ensure that service decisions taken are made with reference to a person's basic human rights such as the right to privacy and family life, the right to a fair hearing and the right not to suffer degrading treatment.

## **7 Disclosure of Information**

- 7.1 Openness in decision making within the Council should be the norm. However, the Council accepts that some information should not be disclosed and officers must respect the confidentiality of the information they work with.
- 7.2 If you are in any doubt as to whether you can release any particular information to a colleague or third party, you should assume that it is confidential and discuss the matter with your line manager before releasing the information. Guidance on disclosure of information to members is available in the Member/Officer Protocol.
- 7.3 You must not use any confidential information obtained in the course of your work for personal gain or benefit; nor should you pass it on to others who might use it in such a way.
- 7.4 You must comply with all current legislation, such as the Data Protection Act and Freedom of Information Act regarding the disclosure of information.

## 8 Officer Interests

### *Outside Commitments*

- 8.1 You must not allow official duties and private interests to conflict. Officers must not take up any outside employment or appointment which conflicts with the Council's interests.
- 8.2 Officers must not engage in any other business or take up any additional appointments without the agreement of their manager. The Council will not unreasonably stop you from taking additional employment, but such employment must not, in the view of the Council, conflict with the Council's interest or bring the Council into disrepute.
- 8.3 Further guidance on the Council's process for outside commitments can be found in the Outside Commitments Guidance found at [\[hyperlink\]](#).

### *Personal Interests*

- 8.4 You must discuss with your manager and declare via the Council's online reporting tool any financial or non-financial interests which could bring about conflict with the Council's interests.
- 8.5 You must make a formal declaration about contracts with the Council in which you have a pecuniary or financial interest. Such declarations should be discussed with your line manager and submitted using the Council's online reporting tool.
- 8.6 You must not make official professional decisions about matters in which you have a personal involvement. You must not misuse your official position or information acquired in the course of your employment to further your private interests, or the interests of others.

### *Gifts*

- 8.7 A potential source of conflict between private and public interests is the offer of gifts, hospitality, or benefits in kind to officers in connection with their official duties.
- 8.8 With the exceptions listed below, you must refuse any personal gift offered to you, or to any family member, by any person or organisation who has dealings with the Council. Any such offer must also be reported via the Council's online reporting tool. In the event of receiving a gift, legacy, or bequest in circumstances where services have been provided by the Council or from a Councillor, you must report this via the Council's online reporting tool and seek consent to retain the gift. If you try to influence or put pressure

on a service user to leave you a bequest in their will this will result in disciplinary proceedings and may be regarded as gross misconduct.

- 8.9 When a gift has to be refused, this should be done with tact and courtesy, because the offering of gifts is common practice in the commercial world, particularly at Christmas time. If the gift is simply delivered to you at your place of work, there may be a problem returning it, in which case it should be reported via the Council's online reporting tool and either donated to charity or retained by the Council in its official capacity, where for example the gift is from a foreign dignitary.

#### *Exceptions*

- 8.10 Gifts of a promotional nature through attendance at relevant conferences or on the conclusion of any courtesy visit to a factory or firm of a sort normally given by that firm and where it is clear that the gift is corporate rather than personal.
- 8.11 Gifts of a token value, often given at Christmas time, such as diaries, calendars, pens etc. (in general, any isolated gift of up to £20 in value).

#### *Hospitality*

- 8.12 You should only accept offers of hospitality if there is a genuine need to impart information or represent the Council in the community. In such cases these must be reported via the Council's online reporting tool and authorisation to attend the event must be obtained in advance.
- 8.13 Where hospitality is offered you should be particularly sensitive as to its timing in relation to decisions which the Council may be taking that may affect those providing the hospitality. It is important to avoid any suggestion of improper influence. As a result, all gifts and hospitality, irrespective of value, must be refused where the relevant organisation is bidding for work from the Council or is involved in a planning application, dispute or other negotiations with the Council.
- 8.14 All offers of hospitality, whether accepted or not, must be reported via the Council's online reporting tool where the estimated value exceeds £20.

#### *Sponsorship*

- 8.15 Where an outside organisation wishes to sponsor a Council activity, whether by invitation, tender, negotiation, or voluntarily, the basic position concerning acceptance of gifts or hospitality, set out at paragraphs 7.8 and 7.12 above, apply. Particular care must be taken when dealing with contractors or potential contractors.

- 8.16 Where the Council wishes to sponsor an event or service, neither an officer 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.
- 8.17 Similarly, where the Council, through sponsorship, grant-aid, financial or other means, gives support in the community, officers should ensure that impartial advice is given, and that there is no conflict of interest involved.

#### *Further Guidance*

- 8.18 Further guidance on the Council's approach to gifts and hospitality can be found in the Gifts and Hospitality Guidance found at [\[hyperlink\]](#).

## **9 Appointments**

- 9.1 Officers involved in appointments of contractors, staff or other appointments must ensure that these are made solely on merit.
- 9.2 In order to avoid any possible accusation of bias, you must not be involved in any appointment, or any other decisions for any officer, prospective officer or third party where you are related or have a close personal relationship outside work.

## **10 Tendering & Contracts**

- 10.1 Officers involved in the tendering process and dealing with contractors must be clear on the separation of client and contractor roles within the Council.
- 10.2 You must have regard to the Council's Contract Procedure Rules set out in Part 5H of the Constitution.
- 10.3 Officers contemplating a management buyout must, as soon as they have formed a definite intent, inform the appropriate manager and withdraw from any relevant contract awarding process.

## **11 Finance**

- 11.1 You must ensure that you use public funds in a responsible and lawful manner. Whenever spending Council funds, you must strive to achieve best value for the local community, and wider public purse.

- 11.2 All officers have an important role in relation to protection against fraud, bribery, corruption and tax evasion. You should report to your line manager or supervisor any concerns you may have associated with the Council's finances, resources and responsibilities.
- 11.3 The Council's Anti-Fraud, Bribery and Corruption Policy and Whistleblowing Policy are set out in Parts 6D and 6E of this Constitution. You should be aware of these policies and associated guidance and ensure that you comply with them.