

# Officer Code of Conduct

This is the Code of Conduct for officers of the Council and those who work for and behalf of the Council. It determines the standards and conduct that shall be met by them.

The Council Code of Conduct sets out the general standards expected of all employees; these are in addition to any rules which apply in Service areas. The Code is not exhaustive and should be read in conjunction with other Council policies.

It is your responsibility to read this Code and to make sure your conduct meets its provisions at all times.

Some service areas will have their own service specific rules about behaviour, usually in relation to their service users. Employees must ensure that they understand the service specific rules, and discuss them with their line manager if they do not understand how they apply.

## 1. WHAT ARE THE PRINCIPLES?

1.1 The public have the right to expect the highest standards of integrity from our employees.

1.2 Employees should:

- always conduct themselves in a proper manner
- not allow personal or private interests to influence their conduct
- not do anything as an employee which they could not justify to the Council
- tell management of any breach of standards or procedure without fear of recrimination. If appropriate employees should use the Whistleblowing policy
- engage in any investigations about actual or potential breaches of this code

1.3 If employees fail to follow this code they may be liable to disciplinary action which could lead to termination of employment.

## 2. WHAT ARE THE RULES ABOUT GIFTS AND HOSPITALITY?

2.1 There are no hard and fast rules about accepting hospitality or gifts offered on a personal basis. However, employees should treat any offers with extreme caution. The person or organisation making the offer may be:

- doing, or hoping to do, business with the Council; or
- applying to the Council for some kind of decision

2.2 In some cases, accepting the offer may constitute a criminal offence.

2.3 Employees should seek permission before any offers of gifts or hospitality above the value of £25 are accepted.

2.4 It is important that such offers of a gift or hospitality are recorded, even where the employee or their line manager, has decided to decline the offer. As a public service there is a need to demonstrate impartiality and merit in remaining totally open about anything received and understand the perception of the general public regarding offers of gifts or hospitality. Please note that if there have been separate or previous offers from the same organisation or individual within the past three months which combined would total over £25.00 it is appropriate to declare the cumulative total.

2.5 If employees have any doubts about whether to accept a gift below £25, they should talk to their line manager. Guidance is provided in the Gifts and Hospitality Form. Managers should maintain a record of gifts and hospitalities received by their staff.

2.6 Hospitality or Gifts over the value of £25 should be declared through the **Gifts and Hospitality form**.

### **3. WHAT ARE THE RULES ABOUT USE OF COUNCIL FACILITIES?**

3.1 Employees should only use Council premises, facilities or other resources for Council business, unless you have been given prior approval through your line manager. This includes:

- transport
- stationery
- secretarial services

### **4. WHAT ARE THE RULES ABOUT THE USE OF INFORMATION TECHNOLOGY?**

4.1 Employees should use information technology in compliance with the Council's **Use of IT Policy**. In addition to this policy, employees should make sure they understand and comply with the Council's guidance on:

- **Using of IT Policy - Using mobile devices**
- **Using of IT Policy – Personal e-mail accounts for Council business**
- **Using of IT Policy – Facebook and Social Media Applications**
- **Guidance on Social Networking Sites and Personal Internet presence**

### **5. WHAT ARE THE RULES ABOUT CONFIDENTIAL AND PRIVATE INFORMATION?**

5.1 Employees may come into contact with confidential information during the course of their work and have a responsibility to maintain confidentiality and ensure their actions comply with the Data Protection Act and General Data Protection Regulation (GDPR).

5.2 Confidential information includes, but is not limited to; any information regarding other employees, service users, financial information, information regarding business plans or other commercially sensitive information and any information or matter which relates to the affairs and/or services of the Council that should not be in the public domain.

5.3 Employees must never:

- i) disclose or share such information (oral, written or electronic) given in confidence or, information acquired during the course of their work to other people without a clear, legal basis for doing so e.g. safeguarding or crime prevention, and only when the identity of the individual requesting has been verified.
- ii) access or use any information obtained in the course of their employment for personal gain or, to disadvantage or discredit the Council or anyone else.

5.4 The Council has specific rules on data security, outlined in the **Information Security Policy** which you need to read and familiarise yourself with. You are required to comply with these rules when handling information. There are set procedures for releasing personal information and guidance for **Information Sharing**. It is essential that employees follow these procedures and must seek advice from their line manager if unsure before releasing information or personal data.

## 6. WHAT ARE THE RULES ABOUT FINANCIAL CONDUCT?

6.1 Employees must ensure that they use funds and resources entrusted to them for the purpose intended, and in a responsible and lawful manner. They should seek to safeguard such funds and resources from abuse, theft or waste and should strive to ensure value for money for the Council, service users and any public or charitable funds.

6.2 Employees should be aware that it is a serious criminal and disciplinary offence to corruptly receive or give any gift, loan, fee, reward or other advantage in return for doing (or not doing) anything, or showing favour (or disfavour) to any person or organisation. If an allegation of corrupt behaviour is made, this will be fully investigated.

6.3 Any form of bribery, either direct or indirect, is prohibited. Allegations of bribery or wrongdoing can be reported confidentially through the Whistleblowing policy. See also the Anti-Fraud policy.

6.4 Employees should manage the organisation's finances in compliance with the Council's financial procedure rules, and contract procedure rules. This sets out individual financial responsibilities, and provides more information on the Whistleblowing and Anti-Fraud policy.

## **7. WHAT ARE THE RULES ABOUT DECLARING FINANCIAL/PERSONAL INTERESTS IN OTHER ORGANISATIONS WHICH DEAL WITH THE COUNCIL?**

- 7.1 Employees must declare any financial/personal interest that they or their partner have or may have in any contract or proposed contract with the Council or its partners, including any interest they may have in tendering for a contract from the Service Area/Group – this interest may be direct or indirect.
- 7.2 Employees should also consider declaring non-financial interests. For example, they may do voluntary work for an organisation in receipt of grant aid from the Council.
- 7.3 An employee wishing to make a declaration should complete the **Declaration of Conflict of Interest form** providing as much detail as possible and submit this to their line manager. See section 21 – Making a Declaration.

## **8. WHAT ARE THE RULES ABOUT BUYING GOODS FOR PERSONAL USE?**

- 8.1 Employee should not use an official order, or the Council's name to buy goods for their personal use. To do so could lead to prosecution under the Theft Act and disciplinary action being taken which could result in termination of employment.

## **9. WHAT ARE THE RULES ABOUT DISCOUNT SCHEMES OFFERED TO EMPLOYEES?**

- 9.1 Employees should take care before accepting discounts or special terms from someone:
  - who normally supplies the Council and,
  - who is not offering this discount to members of the public
- 9.2 This does not apply if the supplier has an agreement with the Unions or the Council to supply goods or services on special terms. If an employee has doubts as to how to proceed, they should refer to their line manager in the first instance who will then discuss with their Corporate Director who may refer to Legal Services where necessary.

## **10. WHAT ARE THE RULES ABOUT EQUALITY ISSUES?**

- 10.1 Employees must ensure that they follow the Council's Equality, Inclusion and Diversity policies and conduct themselves in accordance with expected practice.
- 10.2 Managers must ensure that employees are aware of these policies, expected practice and how this applies to the work that the employee undertakes.

## **11. WHAT ARE THE RULES ABOUT EMPLOYEES HAVING OTHER JOBS?**

11.1 Some contracts specify that an employee cannot undertake other jobs without written permission or, there are service specific or other circumstances that would prevent undertaking other jobs.

11.2 Where this does not apply, employees should make sure that any additional work they undertake does not:

- relate to their duties as an employee
- impact or affect the hours of work in their role with the Council and does not contravene any provisions under the Working Time Regulations or, their health and safety
- impact on their duties and effectiveness
- conflict with the interests of the Council (are they a competitor organisation, engaged in similar business or a customer of the Council. Do they provide or receive goods or services from the Council and is there any contractual arrangement with the Council.)
- weaken public confidence in the Council.

11.3 If you have any doubt as to whether a conflict exists you should complete a **Declaration of conflict of interest form** and submit this to your line manager.

11.4 In order to sustain service delivery and core functions, employees may be asked to curtail any other private work they have been carrying out when the Critical Incident Policy is invoked.

11.5 See section 21 – Making a Declaration

## **12. WHAT ARE THE RULES ABOUT EMPLOYEE CONDUCT OUTSIDE WORK?**

12.1 Generally, what employees do outside work is their own concern. However, they should avoid doing anything which might adversely affect the reputation of the Council, this includes comments on social media.

12.2 Further information and guidance is provided in the Council's Use of IT Policy which covers Facebook, Social Media and use of mobile devices.

## **13. WHAT ARE THE RULES ABOUT POLITICAL IMPARTIALITY?**

13.1 Employees must be politically neutral when carrying out their work. This does not affect their right to be a member of a political party, unless they work within a specified politically restricted post.

13.2 Politically restricted posts fall into two categories -‘specified posts’, and ‘sensitive posts’. Specified posts include Tier 2 and above, and Political Assistants. Sensitive posts apply in Democratic Services and the Communications and Marketing team, based on their link to journalists and broadcasters. Further information and guidance is provided in the Council’s document **Politically restricted posts**.

13.3 Employees can stand for election to local authorities, other than Northamptonshire County Council. They should complete a **Declaration of conflict of interest form** and submit this to their line manager to resolve any potential conflicts of interest and consideration of any requirements for time off.

13.4 See section 21 – Making a Declaration.

13.5 If an employee holds a politically restricted post, they can only be a member of a parish council.

#### **14. WHAT ARE THE RULES ABOUT EMPLOYMENT OF PEOPLE WHO ARE RELATIVES, PARTNERS OR HAVE A CLOSE RELATIONSHIP?**

14.1 Employees should not be involved in taking significant decisions where it involves a relative, partner or close friend.

14.2 This includes:

- recruitment or appointment
- disciplinary situations
- promotional opportunities
- pay related adjustments

14.3 Employees are expected to maintain professional relationships with colleagues. The general principle is that an outsider should not be able to detect any difference in the professional working relationship of people who have a close relationship to those who are not.

#### **15. WHAT ARE THE RULES ABOUT HOW EMPLOYEES INTERACT WITH CUSTOMERS?**

15.1 Employees should never allow any personal relationship with a customer to conflict with the duties of their employment, or the best interests of any customer or service user. They must never allow themselves to be compromised by, or take advantage of, their relationship with a customer.

15.2 Some service areas will have their own service specific rules about behaviour in relation to their service users. This may be underpinned by professional Codes of Conduct or Guidance in relation to client group needs. Employees must ensure that they understand such service specific rules, and discuss them with their line manager if they do not understand how they apply.

## **16. WHAT ARE THE RULES ABOUT EMPLOYEES' RELATIONSHIPS WITH COLLEAGUES OR ELECTED MEMBERS?**

16.1 Mutual respect and trust between employees and councillors is essential to the effective operation of the Council. Any close personal familiarity can damage the relationship. It can also prove embarrassing to other employees and therefore, such familiarity should be avoided.

16.2 Any personal relationships that develop, which may conflict with the impartial performance of your duties, should be declared by completing a **Declaration of conflict of interest form** and submitting this to your line manager for consideration.

16.3 See section 21 – Making a Declaration.

## **17. WHAT ARE THE RULES ABOUT MEDIA ACTIVITIES?**

17.1 If an employee is contacted by the media, they should not respond individually, as media inquiries need to be directed immediately to the communications team.

17.2 Media includes any kind of published or broadcast material, including items published on the internet. Employees should contact the Communications Team for clarification if they are unsure about the rules regarding speaking to the media or sharing information externally.

17.3 In addition, employees should be aware of **Guidance on Social Networking Sites and Personal Internet Presence**. The aim of this Guidance is:

- to protect the reputation of the Council and its employees from intended or unintended abuse via personal employee usage of social networking and personal internet sites, and;
- ensure that employees are aware of the potential legal implications of material which could be considered abusive or defamatory.

## **18. WHAT ARE THE RULES ABOUT SMOKING?**

18.1 In order to help support the health of our staff, deliver our services and maintain legal compliance the Council has a Smoke-free policy. For reputational and health reasons, smoking is prohibited within, or on Council controlled sites, including areas outside and around buildings where smokers should not be visible to the public and customers visiting council buildings, or be identifiable by their lanyards or ID badges. More information is provided in the Smoke-free policy.

## **19. WHAT ARE THE RULES ABOUT CLOTHING AND APPEARANCE?**

- 19.1 Employees are expected to dress in a manner that is appropriate to the job role they undertake, and the environment in which they work. All employees are ambassadors for the organisation and therefore need to maintain a professional appearance, appropriate to their role. There are a variety of settings and roles within the organisation; for some areas health and safety issues will determine what constitutes appropriate dress, therefore employees should refer to any service specific rules, including those on personal protective clothing where relevant.
- 19.2 Managers are responsible for applying this in their specific setting; should an employee wear clothing that is inappropriate for the role they are undertaking, they can reasonably expect their manager to point this out to them. Managers can get support from the HR Advisory Team on what constitutes inappropriate clothing.

## **20. WHAT ARE MY RESPONSIBILITIES AS A LINE MANAGER?**

20.1 As a line manager it is your responsibility to read this Code and to make sure you and your employees conduct meets its provision at all times. You are responsible for:

- making sure that your staff are aware of the Code of Conduct
- abide by the Code and thereby set your staff an example
- taking appropriate action if any member of staff fails to follow this Code
- seeking the advice of your HR Advisor if you have any doubt about how to proceed
- keeping a record of gifts or hospitality received by your staff
- reviewing any Declaration of conflict of interest form (whether at recruitment stage or following employment), escalating to your Corporate Director
- advising the employee of the outcome and retaining the information

20.2 It is also the line manager's responsibility to review the information and ensure:

- where circumstances have changed and no longer relevant for the role the employee is undertaking or their involvement has ceased - the form should no longer be retained
- If the employee moves to another role or service area, the information should be reviewed to ensure no conflict exists and where this remains relevant it is transferred and retained within that new role/service area
- If the line manager leaves or moves to another role or service area, the information must be provided to the new manager where this remains relevant

20.3 For employees working in a social care setting – please also refer to the Adult Social Care and Healthcare Support Workers Code of Conduct – Skills for Care.

## **21. MAKING A DECLARATION**

21.1 There are two instances in which a Declaration can be made;

- (i) New recruits – as part of the recruitment process and,
- (ii) Where a conflict or potential conflict has been identified by an existing employee

21.2 Declarations will normally be made in circumstances of;

- Financial/personal interests in other organisations which deal with the Council
- Undertaking other jobs or engaging in other jobs or business
- Political impartiality
- Personal relationships

### **Conflict Identified By Existing Employee**

21.3 Where a conflict or potential conflict has been identified by an existing employee they should complete a **Declaration of conflict of interest form** and submit this to their line manager.

21.4 The employee's line manager will assess the contents of the form to ensure that sufficient information has been provided in order to determine whether the request is likely to be in conflict with or have a detrimental impact on the employee's or the Council's work.

21.5 The line manager may seek to consult their HR Advisor as required and then refer to the Corporate Director for consideration. In circumstances that relate to financial/personal interests in other organisations the Corporate Director will refer this to the Council's Monitoring Officer.

### **Declaration and levels of approval**

<b><u>Employee Level</u></b>	<b><u>Submission to</u></b>	<b><u>Referral to</u></b>
Employees	Line Manager	Corporate Director (and Monitoring Officer if involves Financial/Personal interests)
Assistant Director or Head of Service	Line Manager	Corporate Director (and Monitoring Officer if involves Financial/Personal interests)
Director/Executive appointment	HR Director      Assistant	Monitoring Officer

### **Failure to disclose a Conflict of Interest**

21.6 If you fail to inform the Council of a possible conflict of interest could result in disciplinary action being taken and your employment being terminated.

## **22. POTENTIAL OUTCOME OF A DECLARATION**

- 22.1 Any outcome as a result of a declaration being made must be advised and discussed with the employee to ensure they understand any implications and agreed actions where necessary.
- 22.2 Where it is found that the employees involvement or actions are deemed unacceptable to continue, the employee may be asked to withdraw from that interest or the responsibilities may need to be changed.

## **Declaration of Conflict of Interest Form**

<b>Subject</b>	<b>Make a Declaration</b>	<b>Responsibility</b>
Gifts & Hospitality	Record on Gifts & Hospitality form	Line Manager
Council facilities	No	Line Manager
Confidential & private information	No	Line Manager
Financial/Personal interests	Yes	Line Manager, Corporate Director and Monitoring Officer
Buying Goods	No	Line Manager
Discount Schemes	No	Line Manager
Equality	No	Line Manager
Other jobs	Yes	Line Manager, Corporate Director
Conduct outside work	No	Line Manager
Political Impartiality	Yes	Line Manager, Corporate Director
Employment of relatives	No	Line Manager
Personal relationships	Yes	Line Manager, Corporate Director

**End of Officer Code of Conduct**

**February 2021**