

# Code of Conduct for Council Employees



The Council has confidence in the motivation, competence, and sense of responsibility of our employees. Employees are expected to provide the highest possible standard of service to the public, and, where it is part of their duties, to provide appropriate advice to colleagues and Members with impartiality.

All employees must bring our values to life through their behaviours, ensuring that they carry out our daily activities in compliance with the Code of Conduct. Colleagues, Elected Members, and the Public are to be treated with dignity and respect at all times.

All employees have an annual appraisal during which objectives are set, performance and the respect of the Code of Conduct are assessed and development opportunities, facilitated by appropriate training, are discussed.

The Council pays particular attention to employees' working conditions, especially the respect for individuals, the absence of discrimination, freedom of association, as well as the protection of our health and safety. No form of harassment is tolerated.

The Council selects employees solely on the basis of merit and the specific capabilities of individual applicants.

The Council develops our employees' professional skills and careers without any discrimination, whether based on origin, gender, age, disability, sexual orientation, gender identity or affiliation with a political, religious, union organisation or minority group.

Employees are expected, without fear of recrimination, to draw the attention of an appropriate Officer to any deficiency in service, suspected breach of the Code or Council procedures.

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# Code of Conduct for Employees of the Council

## Introduction

The Council is accountable to the public served by each employee of the Council.

Employees of the Council are responsible for maintaining our customers' confidence and trust, through delivering high quality Council services at all times. The public are entitled to the highest standards of conduct from all employees working for the Council.

The Code of Conduct (the Code) explains the Council's commitments and expectations in relation to our customers, to each other and everyone who works on our behalf.

Every employee has an obligation to avoid conflicts between private interests and the employee's duty to the Council, particularly where this could adversely affect the Council's interests or in any way weaken public confidence in the conduct of the Council business.

The Code has been designed to provide employees with clear information and specific guidance, which will ensure that the expected standards of conduct by Council employees are consistent and transparent.

The Council's performance and levels of service to the people served by the Council, are based on the values that guide all our activities.

The Code describes how the Council's employees put the values of the Council into practice every day.

## Principles of Conduct

The basic principle of the Code is set out in Part 2 paragraph 2, Key National Provisions of the National Joint Council for Local Government Services, National Agreement on Pay and Conditions of Service (the National Agreement). Similar provisions are incorporated in the National Conditions of Service of Chief Executive and Chief Officers

This Code builds on, and is in keeping with, the seven principles of public life articulated by the Nolan Committee on Standards in Public Life (October 1994)

- Public Duty - uphold the law and to act on all occasions in accordance with the public trust placed in them and act in the interests of the community as a whole.
- Selflessness - act in the public interest at all times and take decisions based solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their families, or their friends.

- Integrity - not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.
- Objectivity - in carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- Accountability - are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- Openness - be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands it.
- Honesty - act honestly. Have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- Leadership - promote and support these principles by leadership and example in order to establish and maintain the trust and confidence of the public, to ensure the integrity of their council in conducting business.
- Equality - promote equality of opportunity and not discriminate against any person by treating people with respect regardless of race, age, religion, gender, sexual orientation, disability, political opinion, marital status and whether or not a person has dependants.
- Promoting Good Relations - act in a way that is conducive to promoting good relations by providing a positive example for the wider community to follow and that seeks to promote a culture of respect, equality and embrace diversity in all its forms

## Scope of the Code

The Code of Conduct applies to all employees of the Council and supplements the terms and conditions of employment of each employee.

The Code does not apply to Elected Members, who have their own Code of Conduct set out in the Council's constitution.

The protocol on Member/Officer Relations is also set out in the Constitution of the Council.

Employees are required to familiarise themselves with the Code and also the additional documents, policies, and procedures, including all the Council's HR policies, that should be read in conjunction with the Code. These policies are available to employees on the Corporate Library on First4HR or from your people manager/supervisor.

The Code is applicable whether or not the work is undertaken at the employee's normal place of work, which includes attending external training and work-related functions that take place outside of normal working hours.

Suppliers, contractors, and external partners of the Council are expected to apply standards of performance that are equivalent to Council's Code.

Any breach of the Code may be treated as a disciplinary matter including gross misconduct which could lead to disciplinary action including dismissal where appropriate.

Whilst the Code is comprehensive, it does not address every possible circumstance and, simply because a particular action may not be addressed within the Code, this does not condone that unacceptable action of a Council employee by omission.

Any such alleged breach of the Code by an employee, which is not overtly included in this Code, may be treated as a disciplinary matter, up to and including allegations of gross misconduct, which could lead to formal disciplinary action, including summary dismissal, where appropriate.

## **Aim of the Code**

The Council requires all employees to adhere to a particular standard of behaviour and as such, this Code of Conduct defines these expectations.

The Code is designed to provide employees with information and guidance, which will ensure that our standards are beyond question. It aims to assist employees to perform their duties to the best of their abilities, at all times.

This Code cannot cover every possibility and therefore employees are encouraged to seek further guidance from their immediate people manager or from the HR Team Public Sector Partnership Services Ltd (PSPS), if there is any doubt about the standards of behaviour expected of the employee by this Code.

### **Roles and Responsibilities - Employees**

Employees and managers need to exercise good sense and judgement in deciding whether specific situations fall within the Code or not. For employees a key guideline is when in doubt as to whether the code applies, ask your manager.

It is the responsibility of each employee to read, and sign this Code of Conduct to state they understand and will work in accordance with the Code to:

- maintain conduct of the highest standard such that public confidence in their integrity and the Council's integrity is sustained;
- be fair and honest in all activities at work;
- incorporate and promote equality and diversity in the work of the Council;

- treat all customers, clients, associated persons and colleagues with courtesy, dignity, and respect;
- ask for clarification on any aspects of the Code when there is uncertainty.

The Council places trust and confidence in its employees to adhere to their contract of employment, undertake their role to the standards required of them and operate in compliance with agreed Council policies and procedures.

Employees of the Council must always comply with the requirements of the law.

Trust and confidence between the Council and the employee can be broken if an employee:

- is not truthful or honest in their dealings with the Council, our customers, or their colleagues and supervisors/Service Manager;
- is not truthful or honest in their activities outside of the Council which may have an impact on the capabilities to do their job, including failure to inform the Council of any criminal charges or convictions;
- purposefully withholds information during the recruitment and selection process in order to obtain employment;
- seeks to deceive the Council by withholding information, providing false information, falsifying/damaging/altering records and/or documentation;
- misrepresents the Council in their dealings with others both internally and externally (i.e., providing a statement to the media);
- fails to respect and adhere to Council policies and procedures;
- breaches their contract of employment and the terms associated with it;
- brings, or risk bringing, the Council's name into disrepute;
- commits any act of misconduct whether at work or outside of work.

#### Roles and Responsibilities - Managers and Senior Leadership

In addition to the above, Managers and Senior Leadership of the Council will:

- role model the required standards of behaviour;
- reinforce the required standards of behaviour through appropriate communications with their teams;
- explain the provisions of the Code to promote understanding;
- coach, support and provide feedback to employees on their performance in relation to the required standards of conduct;
- take appropriate action at the earliest opportunity to deal with non-compliance with the standards of the Code.

## Code of Conduct for Employees of the Council

### 1. Breach of the Code of Conduct

- 1.1 All employees are responsible for ensuring that the Code of Conduct is followed at all times.
- 1.2 A breach of the Code may lead to disciplinary action. Please refer to the Council's agreed Disciplinary Policy for further information.
- 1.3 The Council understand that an employee may need advice from their people manager or HR at PSPS via [HR@pspsl.co.uk](mailto:HR@pspsl.co.uk) in order to ensure compliance with the Code.
- 1.4 Employees are encouraged to speak to their people manager if they have concerns about anything they observe at work, which may be a potential breach of this Code.
- 1.5 If an employee is suspected of being in breach of this Code they will be formally investigated in line with the Council's Disciplinary procedure, available on the Corporate Library on First4HR.
- 1.6 The employee will be advised of the alleged breach and will be informed of the procedure for investigating this potential breach.
- 1.7 At the conclusion of the investigation, the employee will be advised in writing of the outcome and whether a disciplinary hearing will be convened because there is a disciplinary case for the employee to answer in regard to a breach or breaches of the Code.
- 1.8 In the exceptional circumstance where an employee does not feel comfortable raising a concern to their manager or the HR team at PSPS via [HR@pspsl.co.uk](mailto:HR@pspsl.co.uk), the Council has a Whistle Blowing Policy, which is available on the Corporate Library on First4HR.

### 2. Appointments and other Employment Decisions

- 2.1 Employees involved in the appointment of Council employees must follow the Council's recruitment and selection procedures at all times.
- 2.2 Employees who are involved in recruitment campaigns should ensure that any appointments are made purely on merit.
- 2.3 Employees should not be involved in an appointment if they are related to an applicant or have a personal relationship outside of work. Only with Assistant Director & Head of HR (PSPS) authorisation can this be permitted.



2.4 Employees should not be involved in decisions about discipline, promotion or pay adjustments where the employee is a relative or in a close personal relationship with the employee who is the subject of such a decision.

### **3. Alcohol and Drugs**

3.1 It is important that employees are fit for work and remain so in order to perform their duties.

3.2 Alcohol consumption is not permitted on Council premises and the Council prohibits the use, possession, distribution, or sale of drugs in the workplace or when on Council business.

3.3 Employees must not:

- be under the influence of illegal drugs when reporting for work, including home working arrangements;
- be under the influence of alcohol when reporting for work including home working arrangements;
- be in the possession of, distribute, or consume illegal or controlled drugs (other than appropriately prescribed medication to be consumed by themselves only) in the workplace, in a Council vehicle, or whilst on duty;
- drink alcohol or be under the influence of alcohol or illegal drugs whilst in the workplace or in a Council vehicle, regardless of whether on duty at the time;
- drink alcohol or be under the influence of alcohol or illegal drugs whilst on call;
- present an unsatisfactory and unprofessional image whilst at work due to the consumption of alcohol or influence of drugs during breaks or immediately before work.

3.4 The Council's policy for Health and Safety and the procedure for Safe Driving at Work should be read in conjunction with this Code and applied accordingly for employees who have driving duties within their job role.

3.5 If an employee is allegedly in breach of any of the above, the Council will consider this a breach of the Code of Conduct and internal investigations may commence which may require contact with the Police. This is regardless of whether the breach was as a result of a drug and/or alcohol dependency.

3.6 If an employee has an alcohol dependency or drug dependency problem this will be considered as a treatable illness and practical support will be offered as far as possible with intervention from Occupational Health. Should this be the case, the employee must contact their Service Manager or HR (PSPS) for support and appropriate measures and intervention will take place.

3.7 Further support is also available through our Employee Assistance Programme (EAP) counselling and support service and from a variety of national support services including <https://adfam.org.uk/help-for-families/useful-organisations>

3.8 If an employee is on medication to support an illness or condition, which may have negative side effects, they must inform their people manager/Service Manager. A risk assessment will be completed, and a temporary reasonable adjustment may need to be considered should this have a bearing on the role the employee undertakes.

#### **4 Anti-Corruption and Anti-Fraud**

4.1 Any suspicion of fraud or corruption by an employee will be dealt with seriously and any alleged wrongdoing will be dealt with, firstly, in accordance with the Council's Anti-Corruption and Fraud Policy and may include criminal action, where appropriate.

4.2 If an employee is suspected of committing fraudulent activity or corruption, the Assistant Director and the Section 151 Officer must be informed as a matter of urgency in accordance with the Council's Disciplinary Policy and Anti-Fraud procedure.

4.3 If an employee suspects fraudulent activity or corruption, they must report it immediately to their People Manager, Assistant Director or HR at PSPS via [HR@pspsl.co.uk](mailto:HR@pspsl.co.uk)

#### **5. Bullying and Harassment at Work**

5.1 The Protection from Harassment Act 1997 states that harassment includes behaviour which alarms a person or causes a person distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a victim in a manner that could be expected to cause distress or fear in any reasonable person. Harassment of any kind whether direct or indirect is in no-one's interest and should not be tolerated. It is important to recognise the impact such behaviour can have on any individual experiencing it, as well as on the wider organisation in terms of morale and operational effectiveness.

5.2 Like bullying, harassment can take the form of physical, verbal, and non-verbal conduct but does not need to be related to protected characteristics. Harassment may be in person, by telephone or in writing, including emails, texts, or online communications such as social media. It may manifest obviously or be hidden or insidious.

5.3 Examples of harassment include but are not limited to:

- sending unwelcome emails

- unnecessarily repetitive, intrusive questioning
- unwelcome physical contact such as touching or invading 'personal space'
- intimidation
- inappropriate remarks or questioning such as comments about someone's appearance, lewd comments, and offensive jokes
- sexual harassment

Employees should respect colleagues, Elected Members, and the public at all times.

5.4 All employees are responsible for ensuring that there is no tolerance for bullying or harassment of any employee at work and any such conduct by an employee will be investigated as potential gross misconduct in accordance with the Council's Disciplinary Policy.

5.5 Under The Criminal Justice and Public Order Act 1994 and the Harassment Act 1997, it is a criminal offence to harass another person.

5.6 Please refer to the Council's Disciplinary Policy and Equalities, Diversity and Inclusion Policy for further information.

## **6. Canvassing for an appointment**

6.1 Employees should not directly or indirectly seek the support of any Elected Member for an appointment, promotion or pay adjustment, whether this is for themselves or another person.

## **7. Close Circuit TV (CCTV) in Council's workplaces and properties**

7.1 CCTV and camera footage is in operation throughout certain Council premises and equipment to ensure the well-being and safety of Council employees, members of the public, contractors, consultants, agency workers and customers.

7.2 Cameras are located in a number of Council buildings, Council depots, and on the Council's refuse vehicles.

7.3 The Council will not use CCTV for monitoring the work of employees or finding out whether or not they are complying with internal policies, procedures, and Code of Conduct. However, the use of CCTV footage may be considered by decision makers

during formal investigations if it is necessary and proportionate to the allegation of misconduct being investigated.

7.4 The Council follows the Code of Practice from the Information Commissioner's Office (ICO) in respect of the use of CCTV which can be found on the ICO's website <https://ico.org.uk/media/1542/cctv-code-of-practice.pdf>

7.5 Further details about CCTV and cameras on Council sites and equipment are included in the Council's Data Protection Policy and the Council's Privacy Notice which are available in the Corporate Library on First4HR

7.6 Any query about the use of CCTV at work may be obtained from the Council's Data Protection Officer or HR at PSPS via [HR@pspsl.co.uk](mailto:HR@pspsl.co.uk)

## **8. Compliance with Council Policies and Procedures**

8.1 Employees are expected to be aware of, and comply with, all relevant legislation, including but not limited to:

- Equality Act 2010;
- Health & Safety at Work Act 1974;
- General Data Protection Regulation (GDPR)
- Data Protection Act 2018;
- Freedom of Information Act 2000.

8.2 In addition, employees are expected to comply with all Council policies and procedures relating to their employment.

8.3 If an employee is a member of a professional institute or association, they are also obliged to comply with any professional standards of practice associated with that organisation.

## **9. Conduct at Work**

**Employees, Managers and Senior Leadership**

## Employees

- 9.1 All employees are expected to work within the scope of their contract of employment, undertaking the specific duties and responsibilities of their role, and carrying out the reasonable instructions of their people manager.
- 9.2 The way an employee behaves during work and outside of work may be considered unacceptable behaviour and cause damage to other colleagues, the public and the reputation of the Council. Any such unacceptable behaviour may impact the mutual trust and confidence of the employment relationship.
- 9.3 Examples of unacceptable behaviours by an employee whether at work or outside the work hours are (please note: this list of examples is not exhaustive and an omission of a specific example of unacceptable behaviour in this list will not mean that action under the Council's Disciplinary Policy will not be taken:
- Use of rude and offensive language
  - Ignoring colleagues and refusal to interact with colleagues
  - Making vexatious allegations against colleagues
  - Slamming doors or throwing items at colleagues or around the workplace
  - Failing to cooperate with workplace investigations
- 9.4 All employees of the Council will :
- maintain conduct of the highest standard such that public confidence in their integrity and the Council's integrity is sustained;
  - be fair and honest in all activities at work;
  - incorporate and promote equality and diversity in the work of the Council;
  - treat all customers, clients, associated persons and colleagues with courtesy, dignity, and respect;
  - ask for clarification on any aspects of the Code when there is uncertainty.

## Managers and Senior Leadership

In addition to the above, People Managers and Senior Leadership will :

- role model the required standards of behaviour;

- reinforce the required standards of behaviour through appropriate communications with their teams;
- explain the provisions of the Code to promote understanding;
- coach, support and provide feedback to employees on their performance in relation to the required standards of conduct;
- take appropriate action at the earliest opportunity to deal with non-compliance with the standards of the Code

## **10. Conduct outside of Work**

10.1 There is, by law, a respect of private life and protection of the personal data of all employees, but employees should avoid doing anything outside of their working hours that might adversely affect the reputation of the Council, bring the Council into disrepute, or affect the employee's ability to carry out their work duties during work hours.

10.2 Should such misconduct by an employee occur, the Council reserves the right to implement formal disciplinary action in accordance with the Council's Disciplinary Policy.

## **11. Confidentiality**

11.1 Many employees are in a position to obtain information in the normal course of their employment which is highly confidential, politically, and commercially sensitive, or is personal information protected by data protection regulations.

11.2 Employees may not disclose confidential information, whether verbally, in writing or electronically. Employees must not use any information for a personal reason or benefit, nor should they pass it on to others who might use it in such a way. This includes information about the work of the Council, its employees or members and the public.

11.3 Employees must make themselves aware of the requirements of Data Protection Act and Freedom of Information Act 2000 and obtain advice from the Council's designated Data Protection Officer, where applicable.

11.4 Employees are responsible for the security of information in their possessions and must ensure that it remains secure at all times. Appropriate security measures should be

taken by employees when they leave their desk or when working from home or from another location to prevent any data breaches.

- 11.5 When an employee leaves the employment of the Council, they must still respect the confidentiality of official information that has been made available to them in the course of their duties and not use this information for private, commercial, and political gain.
- 11.6 Inappropriate disclosure of information or a breach of these rules in any other way will render employees liable to disciplinary action and could lead to criminal prosecution.

## **12. Conflict of Interests**

- 12.1 An employee of the Council should not put themselves in a position where a conflict will arise between the employee's public duty and the employee's private interests
- 12.2 An employee who is employed in a role involved in the determination of regulatory matters e.g., Planning, Licensing, Housing, must take no part, either directly or indirectly, in considering any application made by the employee concerned, work colleagues, a relative, friend, close associate, neighbour or where the employee may have any interest in any such matter, whether business or personal.
- 12.3 Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants).
- 12.4 In accordance with Local Government Act 1972 Section 80 (1), employees cannot hold an Elected Member position in the Local Authority that they are directly employed by or in a Local Authority that the employee is at the disposal of as part of a shared arrangement under section 113 of the Local Government Act 1972. In order to be elected, an employee must resign from their post. For further detail please refer to the Monitoring Officer.

## **13. Contracts**

- 13.1 Under the law, Council employees have a specific responsibility to declare any interest, which could be to their personal financial advantage, in contracts being negotiated or considered by the Council; breaches of law are punishable by fine. This is also applicable to contract negotiations which may be to the personal and/or financial benefit of a friend or relative of the Council employee.

- 13.2 If an employee becomes aware of any such contract, they must give the Council written notice of the fact and inform their Service Manager, without delay. This also applies if the advantage is to the employee's friend or family member rather than themselves.
- 13.3 Employees may not accept any fee or reward offered because of their position, other than their proper salary/wage and the internal procurement process must be implemented and followed at all times when negotiating contract suppliers.

#### **14. Criminal Charges and Convictions**

- 14.1 If an employee is facing criminal charges or investigation, they must tell their People Manager/Service Manager as soon as possible.
- 14.2 If an employee is subsequently charged or cautioned with regard to any crime, whether on or off duty, this must be reported without delay to their Service/People Manager. The only exception would be minor driving offences for speeding but only where driving is not integral to the employee's role or if the employee is not required to drive in order to undertake the full duties of their role; including driving to business meetings, site visits etc. Employees are required to declare driving offences (including speeding) if they occur in their own vehicles whilst being used for work purposes.
- 14.3 Where criminal charges or a criminal investigation has been initiated against an employee, the Council will assess the impact (if any) this may have on the employee's ability to fulfil the duties of their role.
- 14.4 Failure to disclose criminal charges or police investigation by a Council employee will result in an investigation in accordance with the Council's Disciplinary Policy.
- 14.5 The Council reserves the right to initiate the formal stage Disciplinary Policy or Performance Improvement Policy following appropriate internal investigations.

#### **15. Repayment of Training fees.**

- 15.1 Any loans, training debt or other payments needing to be made to the Council prior to leaving will be deducted from an employee's final pay. However, if the debt is larger than the amount being paid in the final salary, a repayment agreement will need to be



made with the Council prior to last day of employment, on the outstanding monies will be paid back.

## **16. Declaration of Financial and other interests**

- 16.1 An employee is required by S117 of the Local Government Act 1972 to declare any financial interest, whether direct or indirect, in any existing or proposed contract. The declaration should be made, in writing, to your Head of Service/Assistant Director/Deputy Chief Executive who will inform the Council's Section 151 Officer of the contents of the declaration.
- 16.2 An employee should also declare other relevant interests such as ownership of or interests in any land, property, or business other than an employee's private dwelling i.e., business, or other residential properties. The nature of the interest should also be declared i.e., rental properties.
- 16.3 An employee may also be required to declare other interests depending on an employee job role. For example, if an employee work in Planning, an employee may be required to declare any interests in any planning applications such as close family members etc. or if an employee work in Housing, an employee may need to declare any relationships with housing benefit claimants whether they be close personal or business relationships such as landlord/tenant.
- 16.4 Any such declaration should be made to HR at PSPS and will be recorded on a central Declaration of Interests Register.
- 16.5 This information will be held until HR at PSPS are notified that the interest no longer exists.
- 16.6 Failure to declare an interest by an employee to the Council may result in an investigation in accordance with the Council's Disciplinary Policy.

## **17. Financial Incentives, Gifts and Hospitality**

- 17.1 Section 117 of the Local Government Act 1972 provides that it is an offence for an employee to accept any fee or reward other than the proper remuneration for the role in the course of their duties.

- 17.2 An employee of the Council is personally responsible for all decisions connected with the acceptance or offer of gifts or hospitality and for avoiding risk of damage to public confidence in local government.
- 17.3 The receipt and detail of gifts and hospitality should always be reported to the people manager or [HR@PSPSI.co.uk](mailto:HR@PSPSI.co.uk) so that a record can be kept in the Declaration of Interests, Gifts and Hospitality Register.
- 17.4 An employee should also ensure that no direct or indirect personal gain is obtained through the purchasing of items for the council. For example, if an employee has a personal loyalty card to collect points an employee should not use this whilst making purchases on behalf of the council.
- 17.5 An employee may also be a member of a cashback type arrangement online either for an employee's own benefit or an organisation with which an employee has a connection. An employee should not gain from the use of such arrangements whilst purchasing on behalf of the council. If any arrangements are in place which may benefit the council i.e., donation of points to a recognised Charity this may be acceptable.

## 18. Gifts

- 18.1 it is a serious criminal offence for employee to receive or give in a corrupt manner any gift, loan, fee, reward, or advantage from or to another person to do or not to do anything or to favour or disfavour.
- 18.2 If an allegation is made, an employee should be able to prove that any such rewards have not been corruptly obtained. If an employee is at all unsure about any offer of a gift an employee should clarify this with the Monitoring Officer.
- 18.3 An employee should not accept significant personal gifts from contractors, outside suppliers or members of the public, although the Council will allow employees to keep insignificant items of token value such as pens, calendars, and diaries.
- 18.4 In addition, the following may assist employees as it is not just sufficient to make declarations where gifts etc are received. There should be serious thought given to whether anything more than a token gesture should be accepted e.g., pens, diaries, boxes of chocolates.
- 18.5 Where accepting anything else is not appropriate but it would cause offence to not accept, the item could be accepted and given to a registered recognised Charity.
- 18.6 Any gifts relating to a regulatory function should be declined by an employee as this could be viewed as seeking to influence the outcome of a regulatory decision.

18.7 Any prizes won by employees in the course of their work i.e., through competitions at events should be carefully considered and advice should be sought if in doubt.

## **19. Hospitality**

19.1 There are no hard and fast rules about the acceptance or refusal of hospitality or tokens of goodwill. For example, working lunches may be an appropriate way of doing business provided they are approved either by the Assistant Director or by a Head of Service and provided no extravagant costs are involved. In the same way it may be reasonable for an employee to represent the Council at a social function or sporting event organised by outside persons or bodies.

19.2 Employees of the Council attending such functions or events as part of an official Council delegation (e.g., official opening of sports/art facilities) are exempt from the above registration requirement, providing their attendance has been approved by the relevant Director or Head of Service.

19.3 When hospitality has to be declined, those making the offer should be courteously but firmly informed of the procedures and standards operated by the Council and told why hospitality cannot be accepted.

19.4 When receiving authorised hospitality an employee should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality.

19.5 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal and where the employee is satisfied that any purchasing decisions will not be compromised.

19.6 Where visits to inspect equipment, supplies or services are required, employees should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

## **20. Dress Code**

20.1 Employees should be suitably and appropriately dressed for their work duties and responsibilities ensuring they maintain a good level of cleanliness, personal hygiene and well-groomed in appearance.

20.2 Employees must be appropriately dressed for the tasks of their work, ensuring they wear appropriate safety clothing and equipment, personal protective equipment (PPE)

where required by Health & Safety policy, regulations, and instructions from their manager/Service Manager.

- 20.3 There is an expectation that employees will be dressed professionally. Sportswear, including swim wear, denim or training footwear will not be acceptable whilst on duty for the Council unless appropriate for the role.
- 20.4 Service Managers may apply discretion to the dress code where job roles dictate the need to adapt the uniform, i.e., for attendance on site visits.
- 20.5 Employees should be mindful when wearing their Council uniform outside of work hours in the public domain and the perception of the general public.
- 20.6 Employees must act in a way that will not bring the Council or themselves into disrepute. Hi-vis jackets and other PPE uniform must be removed when employees are in their personal time (outside of working hours) in public places.

## **21. Equal Opportunities, Diversity, and Inclusion**

- 21.1 Employees must not discriminate against others and must comply with the Equality Act 2010. In turn, the Council should ensure compliance with this Act. Further information including the expectations and standards of behaviour are detailed within the Council's Equality, Diversity, and Inclusion Policy.
- 21.2 In this regard employees must: be made aware of their obligations under the Equality Act 2010 with other relevant equality law and ensure there are no barriers for all employees to succeed at work irrespective of the employee's race, colour, gender, marital status, sexuality, religion, disability, or age.
- 21.3 Employees must
  - undertake any training on policies agreed by the Council relating to equality issues;
  - not take discriminatory action or decisions or encourage or put pressure on fellow employees to take discriminatory action or decisions;
  - report any concerns about discriminatory conduct to their people manager or other appropriate employee.

## **22. Intellectual Property, Inventions and Patents**

- 22.1 Intellectual property is a legal term that refers to the rights and obligations received and granted, including copyright.

- 22.2 Ownership of intellectual property is determined by considering the circumstance in which it was conceived and developed.
- 22.3 The Council owns the copyright in materials made by or under their directions. This includes inventions, computer coding, drawings, and original creative writings. Whether an employee or contractor, copyright in material produced in the course of work belongs to the employing Council, unless otherwise explicitly provided for in an employee's contract of employment.
- 22.4 Inventions and Patents made before 1 June 1978 are the property of the employer if made in the course of that employer's employment. However, the Patents Act 1977 states that after the 1 June 1978 inventions are only the property of the employer if:
- They have been made in the course of the employee's normal duties;
  - They have been made in the course of duties specifically assigned to the employee and where invention might reasonably be expected, or;
  - It was made in the course of the employee's duties and at the time the employee had (because of the nature of their duties and particular responsibilities arising from them) a special obligation to further the interests of the employer.

## **23. Management of Information - Information Disclosure**

- 23.1 Employees should only give information to the Press if they are specifically asked to do so by Senior Management.
- 23.2 Employees should inform their Assistant Director and Service Manager and the Manager for Communications if they receive any requests for information from the press/media.

## **24. Management of Information - Information Security**

- 24.1 Employees must not misuse their position by seeking information which they do not need to know to enable them to carry out their duties. To assist this, employees who are users of the Council's information systems must keep their equipment and logging in arrangements secure to ensure no unauthorised access.
- 24.2 Employees should refer to the ICT policy for further guidance where necessary.

## **25. Making a Purchase**

25.1 Employees are free to buy surplus Council goods, which may be offered for sale to the public, unless the employee has been officially involved with their sale, obtained special knowledge about their condition by virtue of their position, or intend buying them to resell rather than for personal use.

## **26. Making Information Public**

26.1 Having stressed the need for the Council to maintain confidentiality where appropriate, the Council does want employees to operate openly and to let the public know what the Council is doing.

26.2 All meetings of Full Council and some committees are open to the public and only rarely does the Council conduct business in private as allowed by law. The Council try to ensure that information becomes public knowledge at the earliest stage, both so that the public is kept informed, and to reduce the likelihood of it being misused by individuals 'in the know'. We rely on the honesty of all our employees in this matter.

26.3 The Press are, of course, one of the main channels through which we can keep the public informed. They are entitled to attend most Council meetings. Beyond that, we provide further information through briefings or press releases.

## **27. Media**

27.1 Employees should be conscious of the sensitivity of some requests for information from the media. In responding to these requests, only the Chief Executive, Directors, Senior Managers, and the Communications Team should speak directly with the media. Other members of staff may deal with them providing they have permission to do so from their Director or Senior Manager

## **28. Official Conduct at External Events**

28.1 At all times, when representing the Council at external events, employees will conduct themselves professionally. This should not subject the Council to any claims of an employee's behaviour bringing the Council into disrepute or causing damage to the Council's reputation.

28.2 Even whilst not on duty at work, employees of the Council are expected to conduct themselves in a manner to avoid damaging the Council's reputation

## **29. Other Employment and Out of Work Activities**

- 29.1 Employees should be aware that their contract prevents them from taking outside employment which conflicts with the Council interests. This encompasses employment both within, and outside the boundaries of the Council area of responsibility.
- 29.2 Employees are required to obtain written consent from their Service Manager before taking up any outside employment. The written consent will be recorded in the personal documents on the employee's record on First4HR. It should also be formally recorded in the Register of Interests held by HR. If the request to take outside employment is from a manager, the consent must be obtained from an Assistant Director or another appropriate Senior Manager.
- 29.3 In all cases Managers must ensure employees remain compliant with the working time regulations. Advice can be provided by the PSPS HR Team via [HR@pspsl.co.uk](mailto:HR@pspsl.co.uk).
- 29.4 Employees must not engage in private work in Council work time, on council property, in Council uniform or using council equipment.
- 29.5 Employees must also ensure that they clearly communicate that any private work that has been authorised by the Council is not being undertaken in association with the Council.

## **30. Personal Standards of Conduct**

- 30.1 The basic principle is stated in Part 2 paragraph 2, Key National Provisions of the National Joint Council for Local Government Services, National Agreement on Pay and Conditions of Service.

## **31. Personal Interests**

- 31.1 Employees must register any personal interest they or their family members have which may conflict with the Council interests, by providing written notification to their people manager who will then forward to HR at PSPS via [HR@pspsl.co.uk](mailto:HR@pspsl.co.uk).
- 31.2 Such interests include, but may not be limited to employment by, substantial shareholding in, or membership of any company or body, including any voluntary organisation, which has or may enter into a contractual relationship with the Council, or which is involved in campaigning or lobbying in respect of any Council activity
- 31.3 At no time should an employee allow the impression to be created to another person or group of people that they are, or may be, using their position to promote a private or personal interest.

- 31.4 A personal interest of an employee may include interests which may impact on the duties of the employee of the Council, including any hobbies or other interests that may impact the output of work e.g., something that mainly occurs during the night if the employee is due to work the next day or an interest which may cause absence from work such as particularly dangerous sports.
- 31.5 Membership of a secret society by an employee of the Council must be disclosed in confidence to the employee's Service Manager/ Assistant Director or Monitoring Officer and advice from HR at PSPS should be sought in this situation.

## **32. Planning Applications**

- 32.1 If an employee is submitting a planning application, they must ensure that they correctly complete the page on the application, 'declaring the employee's interests or relationships with any member of the Council.
- 32.2 This also relates to persons that may be related to the employee or to an elected member.
- 32.3 Planning applications submitted by, or on behalf of, a Council employee, or by their spouse/partner or parent if they are living with them may be determined by the Planning Committee in the interests of transparency when considered alongside the Councils Scheme of Delegation which may include consideration by the Council's Monitoring Officer.
- 32.4 Where Council officers, for example, an Environmental Health Officer, may have an interest in the application (such as through consultation attached to the application) – personal interest must be declared, and the steps outlined under personal interests must be followed.

## **33. Politically Restricted Posts**

- 33.1 Section 1 of the Local Government and Housing Act 1989 provides for certain posts in Local Government employment to be deemed "Politically Restricted". These posts are available for viewing on the Council's intranet.
- 33.2 This means that holders of posts so designated are barred from holding elected office in the European Parliament, The House of Commons or Local Government except Parish and Town Councils. Post holders are also disqualified from :
- holding office in a political party;



- canvassing of elections;
- speaking or writing publicly on matters of party-political controversy.

#### **34. Political Neutrality**

- 34.1 Employees serve their Council as a whole. It therefore follows they must serve all Members of the Council and not just those of the politically controlling group and must ensure that the individual rights of all Members are respected. For shared employees and employees working on joint projects, this requirement includes a duty to all the Members of all Councils.
- 34.2 Employees may be required to advise political groups represented in the Council on matters related to the Council's business. They must do so in ways that do not compromise their political neutrality and should make themselves equally available to any and all political groupings.
- 34.3 By law, enforcement of the political neutrality of specific posts results in the position being considered "politically restricted". Further details of political restriction, and a list of the positions subject to such, are available on the Council's Intranet.

#### **35. Preferential Treatment**

- 35.1 Employees may not purchase, for their private use, goods or services offered on preferential terms by a Council supplier or contractor if these terms are offered because of their own dealings with that company as an employee of the Council.

#### **36. Public Concern and Whistle Blowing**

- 36.1 The Council does not tolerate any form of malpractice. As an employee of the Council, an employee has an important part to play in reporting any concerns and an employee will be expected to co-operate with investigations.
- 36.2 The Council recognises that it may be difficult for an employee to report legitimate public concerns through fear of victimisation or reprisal. In such circumstances, an employee should follow the Council's Whistle Blowing Policy and procedure.

#### **37. Relationships at Work**

- 37.1 Where personal relationships arise, which could cause conflict under certain circumstances, the Council may need to consider the impact and implications.

37.2 If a personal relationship at work arises, which could cause concern for conflict of interest or accusation of bias, employees are required to notify their Service Manager (or their Assistant Director or above) to declare this.

37.3 Employees are encouraged to seek advice from HR (PSPS) should they have any concerns regarding a personal relationship at work.

## **38. Safeguarding**

38.1 The Council has a statutory duty to safeguard and promote the safety and welfare of children and to develop procedures to protect vulnerable 'adults at risk'.

38.2 Council employees must:

- have read the Safeguarding policy.
- attend Safeguarding training;
  - not begin any unsupervised activity at work involving access to children or 'adults at risk' before receiving satisfactory clearance from Disclosure & Barring Service (DBS)
- report inappropriate behaviour or bad practice through the correct channels; please refer to the Council's Safeguarding policy for further information.

## **39. Security**

39.1 Employees must wear the Council's ID badge at all times on duty.

39.2 Employees of the Council must follow the local rules for admission of visitors to Council premises at all times to ensure safety and well-being of Council employees and the public.

## **40. Smoking at Work**

40.1 Smoking, including electronic devices, is not allowed in any Council buildings, depots, or vehicles.

40.2 The Council will not permit employees to smoke/vape at any time whilst they are at work unless during a work break period which must be taken in a Council designated area for smoking at work.

40.3 Employees must not smoke/vape in any other place than the designated smoking area provided by the Council.

#### **41. Social Media and Online Activity**

41.1 The Council recognises that many employees make use of social media in a personal and professional capacity.

41.2 Employees must be aware that they can damage the organisation if they are recognised as being one of our employees.

41.3 Any communications that employees make through social media must not bring the organisation into disrepute, for example by:

- criticising or arguing with customers, colleagues, or Members;
- making defamatory comments about individuals or other organisations or groups; or
- posting images that are inappropriate or links to inappropriate content;
- breach confidentiality, for example by revealing confidential information owned by the Council;
- giving away confidential information about an individual (such as a colleague or customer contact) or organisation or
- do anything that could be considered discriminatory against, or bullying or harassment of, any individual, for example by:
  - making offensive or derogatory comments relating to sex, gender reassignment, race (including nationality), disability, sexual orientation, religion or belief or age;
  - using social media to bully another individual (such as an employee); or
  - posting images that are discriminatory or offensive [or links to such content].

#### **42. Sponsorship of Community or Individual Activities**

42.1 When the Council through sponsorship, grant aid, financial or other means, is giving support in the community, and employees are giving advice, they should ensure that the advice is impartial and that there is no conflict of interest involved.

42.2 When the Council wishes to sponsor an event or service neither an employee nor their partner, any relative or personal friends of the employee must benefit from the sponsorship in a direct way without there being full disclosure to the appropriate manager and HR at PSPS via [HR@pspsl.co.uk](mailto:HR@pspsl.co.uk) which should be recorded on the Register of Interests.

#### **43. Tenders**

- 43.1 Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.
- 43.2 Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for instance, friends, partners, or relatives in the tendering process.

#### **44. Use of Council Property and Resources**

- 44.1 An employee should use Council property, facilities, and equipment for Council purposes only.
- 44.2 An employee should not use council vehicles or other resources including IT equipment for personal use.
- 44.3 If an employee needs to use Council property, facilities, and equipment in an emergency situation, the employee should request permission from their people manager to use the Council's resources and the employee must ensure time taken in work time is recorded and given back by the employee at a time and date agreed with the manager.
- 44.4 When using the Council's communication systems, an employee should have regard to the Council's ICT policies, procedures and protocols and have particular regard to data protection. This includes all written forms of communication including emails. Please see the Council's Data Protection and IT Policies for further details.
- 44.5 For lawful reasons the Council monitors email traffic, internet, and computer usage. In addition, use of Council's mobile phones and IT equipment may also log an employee's location.
- 44.6 An employee's activity, including mobile data, may be flagged for review if it appears excessive in terms of time spent accessing content on the internet which is not related to work and/or an employee are accessing inappropriate material and/or the Council may review these records where legitimate and lawful concerns about the conduct of an employee are being investigated.

#### **45. Use of Mobile Phones**

- 45.1 The use of hand-held mobile phones and devices is not permitted whilst driving council vehicles, using machinery, or carrying out other tasks where health and safety of the employee, colleagues and the public may be put at risk of harm by a lack of

concentration of the employee concerned. It is the driver's responsibility to ensure that any hands-free device is being used lawfully. If an employee is driving their own vehicle on council business these rules also apply.

- 45.2 The use of personal mobile phones in other Council workplaces should be kept to an absolute minimum. Calls and alerts, whether taken or not are disruptive to others and do not present a professional image.
- 45.3 Calls by employees on personal mobiles should only be made or taken on breaks or in urgent situations and mobile phones should not be kept visibly when working in customer facing roles. This includes the use of personal devices to undertake non-work-related activity, such as use of social media or internet browsing.
- 45.4 Managers may implement local protocols regarding the use of personal devices by employees within Council services to ensure the particular needs of their service are met.

## **46. Use of Computer Equipment**

- 46.1 To ensure the security of data and systems, employees should not copy programmes or use unauthorised software on Council computers, tablets, or smart phones.
- 46.2 Prior to any employee being granted computer access, they must complete the Information Security Policy training. Access will not be granted until this training has been completed.
- 46.3 User identification and passwords must not be disclosed to anyone. Computer use and security is covered in full in the Council's IT Policy and associated documentation.
- 46.4 Employees are not permitted to use their personal email accounts unless during their designated lunch/rest breaks. Personal e-mail use at work should be kept to a minimum and under no circumstances should any e-mails be sent or forwarded on which could be considered offensive, defamatory, or threatening.
- 46.5 Where technology has been provided to employees for home working or remote working, the equipment must only be used for work purposes and no illegal copying or loading of programmes will be tolerated, onto equipment loaned to an employee, without prior consent of IT (PSPS).
- 46.6 Personal use of the Internet including social media (e.g., Facebook, Twitter, Instagram) is only allowed during designated break periods (outside of core hours or lunch hour). This includes Council and personal devices. This should, however, not be abused and must not be accessed for inappropriate reasons.

46.7 Where work mobile phones and office phones have been provided, these should be used solely for work purposes only. However, in the event of an emergency, this is permitted.

#### **47. Whistleblowing**

Please refer to section 36 of the Code.

#### **48. Working with Elected Members**

48.1 An employee should not place themselves in a position where close familiarity with a member prejudices an employee's work.

48.2 An employee should have regard to the Member/Officer Protocol and close familiarity should be avoided.

48.3 An employee should declare any relationship with an Elected Member where the relationship could cause or be perceived to cause a conflict of interest. This declaration should be made to People Services.

#### **49. Working with Members of the Public**

49.1 The Council provides a range of services to the residents of and visitors to the Council's area of responsibility. Members of the public receiving these services are our customers and in accordance with the Council's strategic vision, objectives and Values, employees of the Council are required to maintain professional at all times towards the public.

49.2 Employees are required to provide the customers with the best standard of service ensuring that their needs are met with dignity, equality, and fairness.

49.3 Employees of the Council are to:

- remain professional at all times;
- communicate politely, truthfully and with integrity;
- listen, understand, and provide the appropriate service, guidance, support, and/or advice as necessary;
- provide their full name and department when speaking or writing to elected members, clients, and customers;
- wear their identity badge at all times;
- ensure they provide accurate and timely information whilst respecting confidentiality;
- avoid doing anything that would make a member of the public question their motives and integrity as a Council employee or may bring the Council into disrepute

- 49.4 These principles must be followed throughout all aspects of an employee's role whether it be face-to-face, verbally, or in writing (letters, emails etc).
- 49.5 When liaising with colleagues during the course of their duties, employees must also ensure they adhered to the same standards of behaviour and etiquette.
- 49.6 Employees should treat a fellow colleague how they would like to be treated themselves, with respect and professionalism.

## Acceptance of the Code of Conduct

Employees of the Council are required to confirm their understanding and acceptance of the Code of Conduct. This acceptance of the Code by the employee must be completed before the end of their second week of employment with the Council.

The employee will be able to accept the Code by accessing the Corporate Library on First4HR to confirm their acceptance of the Code.

Alternatively, an employee is able to accept the Code by signing the document below and then scanning and return this page of the Code only to HR ([HR@psspl.co.uk](mailto:HR@psspl.co.uk)) for retention on the employee's personal documents in First4HR.

**I confirm that I have read the Council's Code of Conduct and I declare that I fully understand the standards of conduct that I have to follow to as an employee of the Council:**

Name of employee	
Department of employee	
Job title of employee	
Date of start of employee	
Signature of employee	
Date the Code signed by employee	

Any queries about the Code of Conduct should be discussed first with your people manager who will be able to contact the HR team at PSPS to assist with any questions or concerns about acceptance of the Code.