

Part 5.2:

Officer Code of Conduct

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Part 5.2: Officer Code of Conduct

1. STANDARDS

- 1.1 The Council expects its employees to give the highest possible standard of service to the public, within the best traditions of local government and in accordance with the seven principles of public life (often referred to as the Nolan principles – see <https://www.gov.uk/government/publications/the-7-principles-of-public-life>) Where it is part of their duties, employees are expected to provide appropriate advice to the public, councillors and fellow employees with professionalism and impartiality. These core values are set out in this code for employees.
- 1.2 Within agreed procedures and without fear of recrimination, employees are expected to bring to the attention of their line manager, the Chief Executive or the Monitoring Officer, as appropriate, any deficiency in the provision of service and to report any impropriety or breach of procedure.

2. DISCLOSURE OF INFORMATION

- 2.1 The Council endorses the principle of open government. The law requires that certain types of information must be available to service users, the general public, councillors, auditors, and government departments. Other types of information may be available by local arrangement. Employees must be aware of which information is available, and to whom, and act accordingly.
- 2.2 Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way. To do so is a disciplinary offence, and will result in action under the Council's disciplinary procedures. Information received by an employee from a councillor which is personal to that councillor and does not belong to the authority should not be divulged by the employee without the prior approval of that councillor, except where such disclosure is required or sanctioned by the law.
- 2.3 Employees are under an obligation not to make certain categories of information public or divulge such information to anyone other than a councillor or officer entitled to know it. This reflects a similar obligation on councillors under Part 5.6 of the constitution. Paragraphs 2 and 3 of that protocol specify the categories of information and the practice of containing written information on pink papers. The distribution and security of such information is strictly controlled by Democratic Services officers and there is an internal protocol governing this.

3 POLITICAL NEUTRALITY

- 3.1 Employees serve the authority as a whole. They serve all councillors equally and not just those of any particular political party. Employees must ensure that the individual rights of all councillors are respected.
- 3.2 Subject to the authority's conventions, and the Protocol on Member/Officer Relations, some employees may be required to advise political groups. They must do so in ways which do not compromise their political neutrality. Some senior posts are politically restricted within the meaning of the Local Government & Housing Act 1989. Employees, whether or not politically restricted, must follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work.

4. RELATIONSHIPS

Councillors

- 4.1 Employees are responsible to the Head of the Paid Service (the Chief Executive) through their line manager and Chief Officer (Director).
- 4.2 Mutual respect between employees and councillors is essential to good local government. Over-familiarity between employees and individual councillors can damage working relationships and prove embarrassing to other employees and councillors and should therefore be avoided. All employees must be aware of, and abide by, the Protocol on Member and Officer Relations. (Part 5.3 of the constitution).

The Local Community and Service Users

- 4.3 Employees should always remember their responsibilities to the local community and they are expected to provide courteous, efficient and impartial services to all groups and individuals within the community. Likewise, the Council recognises employees' equal right to fair treatment and courtesy from service users, citizens and councillors and will establish procedures and guidelines to protect those rights.

Contractors

- 4.4 Any relationship of a business or private nature with an external contractor, or potential contractor of the Council, should be made known to the employee's line manager. 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 example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.
- 4.5 Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to their line manager.

5. APPOINTMENT AND OTHER EMPLOYMENT MATTERS

- 5.1 All employees involved in staff appointments must ensure that these are made on merit. It is unlawful for an employee to make an appointment which is based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship with the applicant outside work. There are corporate recruitment and appointment procedures which must be followed.
- 5.2 Similarly, employees should not be involved in decisions relating to promotion, pay adjustments or discipline, for another employee who is a relative, partner, or family group member.

6. OUTSIDE COMMITMENTS

- 6.1 Some employees have conditions of service which require them to obtain written consent to take any other employment. All employees should be clear about their contractual obligations and should not take other employment which conflicts with their position, or the interests of the council.

7. PERSONAL INTERESTS

- 7.1 Employees must declare to their line manager any non-financial interests that may bring about conflict with the authority's interests.
- 7.2 Employees must declare to their line manager any financial interest which could conflict with the authority's interests.
- 7.3 The above includes the interests of close family or friends where these relate to council activities.

8. EQUALITY ISSUES

- 8.1 All Council employees should ensure that policies relating to equality and human rights agreed by the authority are complied with, in addition to the requirements of the law. All members of the local community, service users, councillors and colleagues have a right to be treated with fairness and equity.

9. SEPARATION OF ROLES DURING TENDERING

- 9.1 Employees involved in the tendering process and dealing with contractors must act at all times in accordance with the Council's financial regulations and procurement rules and must be clear about the separation of client and contractor roles. Senior employees who have both a client and contractor responsibility must take account of the need for accountability and openness and ensure compliance with audit requirements.

- 9.2 Employees who are privy to confidential information in respect of tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation.
- 9.3 Employees should ensure that no special favour is shown to current or former employees or their partners, close relatives or associates in awarding contracts to businesses run by them, or employing them.

10. CORRUPTION

- 10.1 Employees must be aware that it is a serious criminal offence for them to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. Any offer of such must be reported to the employee's Head of Service, who will report it to the Council's Monitoring Officer, as appropriate. If an allegation of corruption is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

11. USE OF FINANCIAL RESOURCES

- 11.1 Employees must ensure that public funds entrusted to them are accounted for and used in a responsible and lawful manner. They should strive at all times to ensure value for money to the local community and to avoid legal challenge to the authority.

12. HOSPITALITY

- 12.1 Care needs to be taken in responding to offers of hospitality. Invitations to represent the Council at purely social or sporting functions should be accepted only when these are part of the life of the community or where the authority should be seen to be represented. Such events should be properly authorised and recorded. Particular care needs to be taken by those involved during any tender period.
- 12.2 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.
- 12.3 Employees must not accept personal gifts, gift vouchers or money from customers, contractors or external suppliers, although insignificant items of token value, such as pens, diaries and calendars may be accepted. All such gifts should be recorded in the register kept by the Monitoring Officer for the purpose.
- 12.4 When receiving authorised hospitality, employees should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting the hosts. This is particularly important in matters relating to development control or the enforcement functions of the Council.
- 12.5 Attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where consent is obtained from

the employee's line manager in advance and where the manager is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, etc. are required, employees should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

13. SPONSORSHIP - GIVING AND RECEIVING

- 13.1 Where an external organisation sponsors or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions on the acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
- 13.2 Where the Council sponsors an event or service, neither an employee, nor any partner, spouse or relative must benefit from such sponsorship in a direct way. Similarly, where the Council provides sponsorship, grant aid, financial or other support for a community event or project, employees should ensure that impartial advice is given and that no conflict of interest arises.
- 14 The Monitoring Officer is responsible for maintaining a record of gifts and hospitality received and the circumstances pertaining thereto.