



CODE OF CONDUCT FOR EMPLOYEES

1. Introduction

This Code of Conduct applies to all employees of Hart District Council. It is supplementary to and amplifies statutory requirements and the Council's Standing Orders and gives guidance on their implementation.

The public is entitled to demand of a local government officer conduct of the highest standard and public confidence in his/her integrity would be shaken were the least suspicion to arise that he/she could in any way be influenced by improper motives.

Council employees are holders of public office and are therefore expected to perform in accordance with the Nolan Committee's Seven Principles of Public Life:

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should 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

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office 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

Holders of public office should promote and support these principles by leadership and example.

Every situation is different and no Code of Conduct can provide complete guidance on every occasion. Employees who need further advice should seek it from their manager, Head of Service or the Chief Executive and should not refrain from fear of their concern being considered trivial.

Supplementary Codes of Conduct apply within some Business Units relating particularly to the Unit's activities. Regulatory services have particular requirements.

A breach of the Code of Conduct may be the subject of disciplinary action which in some cases could result in dismissal.

2. Standard of Work

Council employees are here to serve the people of Hart. We need to be open, helpful and professional in our approach. Often the Council is the only source of services which can deeply affect the well-being of people who live in the District.

Employees therefore must:

- **meet agreed standards of customer service when dealing with people in person or by phone or by letter or in the customer's home**
- **be polite, positive and considerate to members of the public**
- **be open with people about what action they can expect and when they can expect it**
- **observe the Council's Equality of Opportunities policy**
- **wear a Council name badge if required**
- **be clean, neat and appropriately dressed**
- **wear any work clothes issued by the Council**
- **comply with the Council's smoking policy**

- **account for lost property found**
- **do nothing which would damage public confidence in their motives or their integrity or bring the Council into disrepute**

Employees must not:

- **be rude abusive or offensive**
- **abuse their position with the Council to take advantage of people**
- **discredit Council services by casual behaviour on duty including listening to headphones (except audio typists), reading newspapers or magazines unrelated to their work, consuming food, playing computer games**
- **take illegal drugs**
- **drink enough to affect the way they work**
- **mislead clients or tell lies about Council business**
- **disclose, gossip about, or use any information gained in confidence**
- **conceal any matter it is their duty to report**
- **steal or take or damage property**

A climate of mutual confidence, trust, respect and support between managers and staff is critical to achieving the Council's service objectives and for the fulfilment of all employees. Employees are expected to show loyalty to the Council and to further its objectives as much as they can.

3. Disclosure of personal information

In many instances greater care must be taken to avoid the suspicion of impropriety than to avoid any improper behaviour itself. Accordingly this Code requires personal disclosure of information in a number of sections.

Employees required to make a disclosure should make it to their Head of Service. Heads of Service should make disclosures to their immediate manager. The Chief Executive should make disclosures to the Leader of Council. All disclosures must be in writing.

The Head of Service may make alternative arrangements for certain employees' disclosures, eg by providing a register for completion or requiring disclosure to a line manager. Complying with these arrangements meets the requirements of this Code.

Employees attending a formal Council or Committee meeting who have a financial interest in any contract, proposed contract or issue under debate must, as soon as is practicable, disclose the fact to the meeting and withdraw from the room while the matter is under consideration. This applies whether or not attendance at the meeting is in an official capacity.

Employees who have a financial or non-financial interest in any contract or proposed contract with the council must advise both their Business Unit Head and the Chief Executive in writing. Non-disclosure of this type of interest is a criminal offence.

4. Disclosure of Council information

It is generally accepted that open government is best. The law requires that certain types of information must be available to Members, auditors, government departments, service users and the public. It is, however, either in the interests of the Council and the community it serves or a requirement of the Data Protection Act for some other information to be kept confidential. Employees must be aware of which information the Council is and is not open about, and act accordingly.

Employees must not disclose personal information relating to any member of staff without their express permission, even to other members of staff. Personal information includes private addresses and telephone numbers.

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. Any particular 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.

5. Raising concerns

Employees must comply with the Council's Anti-Fraud and Corruption Strategy which encourages them to raise any concerns they have about improper behaviour by anyone associated with the Council's activity. Improper behaviour includes discrimination, financial irregularities or any other breach of this Code.

Employees must recognise that they have a duty to ensure that suspected improper behaviour is investigated and if necessary curtailed. They must also recognise that this does not extend as far as raising unfounded malicious allegations or breaching the duty of confidentiality owed by employees to their employer. If necessary, employees should seek advice from either their line manager, their Head of Service, the Council's Head of Audit or Chief Executive, or the Council's external auditor, all of whom will respect the confidentiality of employees raising concerns if they wish. Alternatively, employees may contact Public Concern at Work, a registered charity staffed by lawyers which provides free confidential legal advice to employees who have serious concerns about malpractice within the workplace (telephone 0171-404 6609).

Victimising employees who have raised concerns, or deterring them from doing so, is a serious disciplinary offence.

6. Political neutrality

Employees serve the Council as a whole. It follows they must serve all councillors and not just those of any controlling group, and must ensure that the individual rights of all councillors are respected.

Some employees may be requested to advise political groups. They must do so in ways which do not compromise their political neutrality.

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.

The Local Government and Housing Act 1989 designates certain posts (generally all at grade 7 and above) as politically restricted. Holders are not permitted to be or become a Member of Parliament, a councillor with any local authority (other than a Parish or Town Council), or a political agent or sub-agent. Applications for exemption may be made to the Secretary of State.

7. Relationships

Councillors

Employees are responsible to the Council through its senior managers. For some, their role is to give advice to councillors and senior managers and all are there to carry out the Council's work. Mutual respect between employees and councillors is essential to good local government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors and should therefore be discouraged.

The Local Community and Service Users

Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the Council.

It is the Council's policy to encourage and investigate complaints. Employees must treat complaints seriously and handle them in accordance with applicable procedures.

Contractors

All relationships of a business or private nature with external contractors, or potential contractors, should be disclosed. 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.

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 disclose that relationship.

8. Safety

Employees have a duty to their employer not to act in a manner that prejudices the health and safety of another employee, a service user or anyone else.

Employees have a duty to be aware of the contents of the Council's Health and Safety Policy and any codes of practice which relate to their work, and comply with their requirements.

9. Harassment

Harassment is defined as unwanted behaviour which an individual finds intimidating, upsetting, embarrassing, humiliating or offensive. Harassment of another employee, a service user, or anyone else connected with the Council's activity is a serious disciplinary offence.

Employees should take care to ensure that none of their actions could be interpreted as harassment by anyone else.

10. Appointment and other employment matters

Employees involved in appointments should ensure that these are made on the basis of merit in accordance with the Council's Equality of Opportunities Policy. It would be unlawful for an employee to make an appointment which was 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 outside work with him or her. If necessary, disclosure should be made.

Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner, etc.

11. Outside commitments

Some employees have conditions of service which require them to obtain written consent to take any outside employment. All employees should be clear about their contractual obligations and should not take on outside paid or unpaid tasks which conflict with the Council's interests without specific approval. In the event of approval being withheld employees may appeal to the Appeals Committee.

Employees with commitments to another organisation should never act as a channel of communication or arbitrator between that organisation and the Council.

Outside commitments must never interfere with work for the Council; employees must work at contracted times rested and refreshed.

Employees should note that ownership of most intellectual property or copyright created in the course of their employment vests with the Council, and consent should be obtained for use or disposal external to the Council.

12. Personal interests

Employees must disclose any non-financial interests which could currently or in future result in a conflict with the Council's interests. Examples include; governorship of a local school, membership of a NHS Trust Board, involvement with an organisation or pressure group which might seek to influence the Council's policies, participation in the management of a voluntary group seeking aid from the Council.

Employees must disclose any financial interests which could conflict with the Council's interests.

Employees should disclose membership of any organisation or club which could result in a conflict with the Council's interests, or of any organisation or club which is not open to the public and which has secrecy about its rules (such as freemasonry).

13. Separation of roles during tendering

Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the Council. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.

Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

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.

Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

14. Corruption

Employees must be aware that it is a serious criminal offence for them corruptly to solicit or 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.

If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

15. Use of resources

Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner and comply with the Council's Financial Procedures. They should strive to ensure value for money to the local community and to avoid legal challenge to the Council.

Employees must not use the Council's property and facilities (eg stationery, photocopiers, telephones) for private purposes without authorisation.

16. Hospitality

Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the local authority in the community or it can be shown that it is in the Council's interest to build or maintain a relationship on that basis. Employees should obtain approval in general terms to the type and circumstances of hospitality they may accept, and all instances must be disclosed.

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

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 Council can be satisfied that any 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 decisions.

When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the Council.

Employees should not accept significant personal gifts from contractors and outside suppliers. Minor gifts received (other than the very trivial) should be disclosed.

17. Sponsorship

Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Where the Council wishes to sponsor an event or service, employees must disclose any direct benefit which would arise to themselves, partners, relations or close friends.

Where the Council through sponsorship, grant or other assistance gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

18. Serious misconduct

Serious misconduct and/or criminal offences committed during or outside of working hours which would bring an employee or the Council into disrepute will be the subject of disciplinary action which could result in dismissal.

ADOPTED BY COUNCIL FOLLOWING CONSULTATION WITH UNISON JUNE 2008

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