

## **5.3: EMPLOYEES' CODE OF CONDUCT**

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## **5.3 EMPLOYEES' CODE OF CONDUCT**

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### **INTRODUCTION**

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The Council exists to serve and represent the people of North West Leicestershire. The people, therefore, have a right to expect the highest standards of conduct from everyone who works for the Council. This Code is designed to help you in your day to day work. It outlines existing laws, regulations and conditions of service, together with further guidance. We are all working in a commercially orientated environment, so this advice is most important if we are to meet these challenges.

### **STATUS OF THE CODE**

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We have based this code on a model, recommended by the Local Government and Management Board, which we have adapted for use within this Council. It sets out the minimum standards that are expected of you. The Code aims to lay down guidelines which will help you maintain and improve standards and protect you from misunderstanding or criticism. However, you should also understand that if you fail to comply with the Code, you may be subject to disciplinary action.

### **WHO THE CODE IS AIMED AT**

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The Code will inevitably affect some staff more than others. Nonetheless, the Code applies to all Council employees. Any actions you take, as a member of a company or a voluntary organisation should meet the standards laid down in the Code.

## **1. STANDARDS**

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- 1.1** As a Council employee, you must conduct yourself to the highest standards. This will ensure that public confidence in your integrity cannot be shaken by the least suspicion, however ill-founded, that you could in any way be influenced by improper motives.
- 1.2** You must give the highest standards of service to the public. Where it is part of your duties, you must also provide appropriate advice to councillors and fellow employees with impartiality. If you are aware of any deficiency in the provision of service, you must bring it to the attention of your manager. You must do this through established divisional procedures and you may do so without any fear of recrimination. If you are aware of any impropriety or breach of procedure, you must report it to your manager.

## **2. DISCLOSURE OF INFORMATION**

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- 2.1** The Council practices open government. However, where information is necessarily confidential, you must only make it available on a "need to know" basis. If you need guidance on provision of information, consult laid down divisional procedures or your manager.

- 2.2** You must not use any information which you obtain during your employment for personal gain or benefit. Furthermore, you must not pass information on to others who might use it in such a way.
- 2.3** If you receive any information from a councillor or a fellow employee which is personal to that person and does not belong to the Council, you must not divulge it without the prior approval of that person. The only exception is where disclosure is required or sanctioned by law.

## **3. POLITICAL NEUTRALITY**

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- 3.1** As an employee, you serve the Council as a whole. It follows that you must serve all councillors and not just those of any single political group.
- 3.2** If you are required to advise political groups, you must do so in ways which do not compromise your political neutrality.
- 3.3** You must follow every lawful expressed policy of the Council. You must not allow your own personal or political opinions to interfere with your work. This applies whether or not your post is politically restricted.

## **4. RELATIONSHIPS**

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### **4.1 Councillors**

Mutual respect between employees and councillors is essential to good local government. You must, therefore, avoid close personal familiarity with individual councillors (other than relatives). Such familiarity can be embarrassing to other employees and councillors, and can damage working relationships.

### **4.2 The Local Community and Service Users**

You must always remember your responsibilities to the community we serve and make sure that you treat all groups and individuals within that community courteously, efficiently and impartially.

### **4.3 Contractors**

If you have had any current or previous relationship of a business or private nature with an external contractor or potential contractor, you must tell your manager. It is essential that all orders and contracts are awarded on merit, by fair competition against other tenders, and you must show no special favours to businesses run by, for example, friends, partners or relatives in this process.

- 4.4** If your job involves engaging, supervising or any other official relationship with contractors, you must tell your manager if you have had any current or

previous relationship of a business or private nature with an external contractors or potential contractor. This will then be entered in a register.

## **5. APPOINTMENT AND OTHER EMPLOYMENT MATTERS**

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- 5.1** If you are involved in making appointments, you must make sure that these are made on merit and with your decision being based on the ability of the candidate to undertake the duties of the post. Anything else would be unlawful. To avoid any possible accusation of bias, you must not be involved in an appointment where you are related to, or have a close personal relationship, with an applicant.
- 5.2** You must not be involved in making decisions relating to discipline, promotion or pay adjustments for any employee who is a relative, partner, etc.

## **6. OUTSIDE COMMITMENTS**

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- 6.1** You must be clear about your contractual obligations to the Council and must not involve yourself in outside employment which might conflict with the Authority's interests. If you are graded at spinal point 28 or above, you must have the Council's specific consent before you take up any additional employment.
- 6.2** You must follow Council rules on ownership of intellectual property or copyright created during your employment.

## **7. PERSONAL INTERESTS**

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- 7.1** If you have any non-financial interests, which could conflict with the Council's interests, you must declare these to your manager.
- 7.2** If you have any financial interests, which might conflict with the Council's interests, you must declare these to your manager.
- 7.3** If you are a member of any organisation which is not open to the public without both formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct, you must declare this to your manager.
- 7.4** You must not allow your membership of any organisation to influence you in the conduct of your duties and responsibilities.

## **8. EQUALITY ISSUES**

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- 8.1** You must comply with both the law and the Council's policies on all issues relating to questions of equality.

- 8.2** You must treat all members of the local community, customers and employees with fairness, equity and respect.

## **9. SEPARATION OF ROLES DURING TENDERING**

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- 9.1** If your job involves you in the tendering process and dealing with contractors, you must be clear about the separation of client and contractor roles within the Council. If you are a senior employee with both a client and contractor responsibility, you must be aware of the need for both accountability and openness.
- 9.2** If you are employed in a contractor or client unit, you must be fair and impartial in your dealings with all customers, suppliers, other contractors and sub-contractors.
- 9.3** If you have access to confidential information on tenders or costs for either internal or external contractors, you must not disclose this information to any unauthorised person or organisation.
- 9.4** If you are contemplating involvement in a management buy-out, you must tell your manager immediately you decide to proceed and take no part in the process of awarding a contract.
- 9.5** You must show no special favour towards current or former employees or their partners, close relatives or associates when awarding contracts to businesses run by them or employing them in a senior or relevant capacity.

## **10. CORRUPTION**

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- 10.1** You must not corruptly receive or give any gift, loan, fee, reward or advantage for either doing or not doing anything or for showing favour or disfavour to any person or organisation in your official capacity. To do so is a serious criminal offence.

## **11. COMPUTER SOFTWARE**

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- 11.1** If your job involves use of computers, you must make sure that you use only properly licensed computer software in accordance with the Council's I.T. policy.

## **12. USE OF PUBLIC MONEY**

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- 12.1** You must ensure that you use any public funds entrusted to you in a responsible and lawful manner. You must always strive to ensure value for money to the local community and to avoid any legal challenge against the Authority.

## 13. GIFTS AND HOSPITALITY

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- 13.1** If you are offered any gifts or hospitality, you must not accept these without the prior authorisation of your manager. There is a presumption that gifts and hospitality will not be accepted. Any which are authorised must be recorded in the Officer Gifts and Hospitality Register kept by the Chief Executive.
- 13.2** Insignificant items of a token value only, such as pens or diaries, are excluded from these provisions. Significant items comprise gifts or hospitality with more than a token value. If in doubt, consult your manager.
- 13.3** You must only accept offers of hospitality if there is a genuine need for you to be present to give or receive information or to represent the Authority. You must not accept offers to attend purely social or sporting functions, unless these are part of the life of our local community or where the Authority should be seen to be represented. All acceptances must have the prior authorisation of your manager and recorded in the Employee Gifts and Hospitality Register.
- 13.4** If you have to decline an offer of hospitality, you must do so courteously but firmly, informing those making the offer of the procedures and standards operated by the council.
- 13.5** You must not accept significant gifts or hospitality from contractors or outside suppliers. If in doubt, consult your manager.
- 13.6** If you are authorised to receive hospitality, you must nevertheless still be particularly sensitive about its timings in relation to any decisions which the Authority may be taking which involve those providing the hospitality.
- 13.7** Hospitality provided for attendance at relevant conferences and courses is acceptable providing:

It is clear that the hospitality is corporate rather than personal,

The Council's consent has been obtained in advance (where possible) through your manager, and

The Council is satisfied that any purchasing decisions you may be involved in are not being compromised.

- 13.8** If you are involved in visits to inspect equipment, etc, you must ensure that the Council meets the cost of such visits to avoid any question of the integrity of subsequent purchasing decisions being jeopardised.

- 13.9** Any queries on the interpretation of the code and the procedure to be followed should be directed to the Monitoring Officer.

### **14. SPONSORSHIP - GIVING AND RECEIVING**

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- 14.1** You must apply the basic conventions concerning acceptance of gifts or hospitality, any involvement you may have with an outside organisation which wishes to sponsor, or is seeking to sponsor, a local government activity, whether by invitation, tender, negotiation or voluntarily. You must take particular care when dealing with contractors or potential contractors.
- 14.2** Where the Council wishes to sponsor an event or service, you must make full disclosure to your manager if either yourself, partner, spouse or close relative stands to benefit from such sponsorship. In the same way, you must make sure that you give impartial advice and that you have no conflict of interest where the Council gives support to community groups through sponsorship, grant aid, financial or other means.

**ALWAYS ERR ON THE SIDE OF CAUTION. IF IN DOUBT, ASK  
YOUR MANAGER FOR ADVICE.**