

## **OFFICERS' CODE OF CONDUCT**

(This will be amended in accordance with the national framework document)

### **1. Official Conduct**

- 1.1 Staff are expected to give the highest possible standard of service to the public and provide appropriate advice to Councillors and fellow employees with impartiality. Our expectation on propriety and accountability is that Members and staff at all levels will lead by example in ensuring adherence to rules, procedures and recommended practices.
- 1.2 All staff, whether or not employed in a politically restricted post, must follow every lawfully expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work. Staff in politically restricted posts must comply with any statutory restrictions on their political activities.

### **2. Working for the Council**

- 2.1 Staff are free to do what they like in their spare time as long as their private life does not interfere with their work. The Council will not discourage staff from doing part-time work outside their usual hours, but such work must neither be harmful to the Council's interests nor weaken the public's confidence in the integrity of the Council. Part-time work outside their usual hours should not be for an employer who is in competition with the Council.
- 2.2 Staff on Grade F (SCP 29) or above must not carry out any other business or take up additional appointment while employed by the Council, without the Council's permission. To ensure there is no conflict of interest, staff must notify their Manager if they want to undertake work outside the Council, and get written permission from the Council before undertaking any such work.

### **3. Implied Contractual Obligations**

- 3.1 Contract of employment is also governed by additional conditions known as 'implied terms'. Though these conditions are not written in the contract of employment, these conditions are treated by the law as if they are part of the written contract. These implied obligations are as follows:
- (i) Good Faith and Fidelity
    - Staff must behave honestly and carry out their duties honestly. They must not accept bribes, backhanders or other inducements.
    - Staff must not take unfair advantage of any confidential information obtained through their job.
  - (ii) Information which must be kept confidential includes:-
    - commercially sensitive information;
    - personal details of colleagues;
    - items on green paper;
    - the Council's internal documents (unless the law says that the information must be revealed or instructed by the Manager).
  - (iii) Working for Competitors
    - Staff must not work for a rival employer or set up in competition with the Council while employed by the Council.
    - Staff must not compete with the Council for a contract while still employed by the Council. It is a dismissible offence for staff to tender for a future

contract to provide a service, which is currently being provided by the Council.

- It is also a dismissible offence if staff canvass other Council employees to induce them to join a business, which is being set up with the intention of competing with the Council.

(iv) Behaviour

- Mutual respect between Members and all staff is essential to good local government, and working relationships should be kept on a professional basis.
- Staff should deal with the public, Members and other employees sympathetically, efficiently and without bias.
- Any harassment and bullying is unacceptable to the Council and will be dealt with in accordance with the Council's Code of Practice on Harassment and Bullying at Work.
- Employees must not be under the influence of drugs or alcohol at work.
- Staff should not behave in a way which is likely to bring the Council into disrepute.
- All employees should provide a united image of the Council's values, aims and responsibilities to the public. Staff must not directly oppose the aims and responsibilities of the Council by publicly criticising and blaming colleagues, sections or other service units of the Council.
- If staff belong to a professional association, they are expected to comply with its Code of Conduct and professional standards.

#### **4. Handling Information**

4.1 When handling information staff need to comply with the Data Protection Act 1998. This law requires that personal data is:-

- fairly and lawfully processed;
- processed for limited purposes;
- adequate, relevant and not excessive;
- accurate;
- not kept longer than necessary;
- processed in accordance with the data subject's rights;
- secure;
- not transferred to countries without adequate protection.

4.2 Disclosing Information

- Staff may be required by law to disclose certain types of information to Members, auditors, government departments, service users and the public. Information should be disclosed unless there is a good reason for not doing so.
- Staff must not reveal any information to anyone else unless they have a legal responsibility to provide it, or where the employee, client, contractor, debtor or creditor concerned gives them written permission to do so.
- Staff should not disclose details on proceedings at Committee meetings, or Council, or any letters or documents to the public unless they have been told to do so by their Manager or the law says that they can reveal such information.
- Staff must not use information obtained through work for their personal benefit or gain, nor may they pass it on to anyone else who might use it in such a way.
- Staff must not discuss Council business/information with colleagues from other organisations, friends or family members who may work for, or have friends who work for a competitor.

- Staff must not discuss information about any Council employee's private affairs with the public without that person's permission.

#### 4.3 Communicating Information

- Staff will need to exercise reasonable judgement in communicating information, particularly information which may bring the Council in to disrepute or cause it harm, to any person or organisation outside the Council.
- Staff will need to obtain permission before revealing internal letters or debating with the media, community groups or other public organisations.
- They will also need to obtain permission before accepting any invitation to take part in newspaper interviews, radio broadcasts, and television programmes, and so on where the discussion relates directly or indirectly to their work at the Council.
- Only staff who have undergone media training are allowed to engage with the media.

### 5. Gifts and Hospitality

5.1 All offers of a gift or hospitality, whether accepted or not, must be entered in the Register of Gifts and Hospitality, which is maintained by every service. The register will contain the following information:-

- the person or organisation making the offer;
- the member of staff to whom the offer was made;
- the gift or hospitality offered;
- the circumstances in which the offer was made;
- the action which you took if the offer was made to you;
- the action taken by the Manager.

#### 5.2 Gifts

- Staff are not allowed to accept any money or reward other than their wages. It is a criminal offence, currently punishable by a fine of up to £2,500 under section 117 (2) of the Local Government Act 1972.
- Small gifts, such as calendars, diaries, pens, pencils and other tokens which are distributed to many employees as a common business practice, can be accepted without needing to obtain permission and without your acceptance having to be recorded, as long as they are not personal only to the receiving individual.
- Any gifts which have been delivered and cannot be returned for some reason should be given to the Head of Paid Service for official use or donation to a local charity. All such gifts must be registered in the Register of Gifts and Hospitality.

#### 5.3 Hospitality

- Staff may accept a reasonable degree of hospitality in reasonable circumstances, but will need to take extreme care to avoid any suggestion of improper influence. (For guidance, see staff handbook)

#### 5.4 Free/Discount Travel

- Staff should not accept free or discounted transport unless:-
  - they have obtained their Manager's approval; and
  - the offer is available to all Council employees; or
  - it is travel which involves legitimate participation in promotional events.

5.5 Free/Discount Meals  
Staff may accept an occasional modest working lunch, which is part of an on-going working relationship between staff and an outside organisation, which allows staff to discuss business. The hospitality must be just a minor part of a specific working arrangement.

5.6 Sporting and Social Events

- Staff must decline invitations to major sport and social events, such as international or national fixtures, golf tournaments, theatre trips or dinners/parties as the guest of a contractor or contractor who is seeking to do business with the Council.
- Staff can accept sport and social functions which are part of local community life and which include local competitions, community interest group gatherings, meetings of a public organisation and events which celebrate an achievement within the City of Gloucester area.

## **6. Financial Matters**

6.1 Staff must ensure that they use public funds entrusted to them in a responsible and lawful manner.

6.2 Standing Orders and Financial Regulations

- Staff must act in accordance with the Standing Orders and Procedures as specified in Part 4 of the Constitution.

6.3 Fraud and Corruption

- The Council expects that Members and staff at all levels will lead by adherence to the rules, procedures and recommended practices of the Anti-Fraud and Corruption Strategy.
- If any employee is in receipt of benefits they should notify the relevant authority of the change of circumstances when they take up the post.
- The Council's Benefit Fraud Team will be allowed access to Council and personnel records relevant to an investigation in accordance with the Housing and Council Tax Benefit Fraud Policy.

6.4 Staff must declare to their Manager any financial interests, which could be seen as being in conflict with the Council's interests.

6.5 Relationships of a business or private nature with external contractors or potential contractors should be made known to the appropriate Manager.

6.6 No special favours should be shown to any business run by for example, friends, partners or relatives during the tendering process.

6.7 Staff are required to write to the appropriate Manager as soon as possible giving details of any direct or indirect financial benefits they may receive from a contract, or proposed contract with the Council. Staff will have to comply with this legal requirement for contracts whether or not they have signed the contract personally.

6.8 They must write to their Manager to tell him or her of any approaches or offers made by a potential contractor even if they said "No". Any offer of cash for information by a competitor must also be notified to the Manager.

6.9 Members and staff at all levels must act with propriety.

## **7. Appointment and Other Employment Matters**

- 7.1 Staff involved in making appointments should ensure that these are made on the basis of merit. It is 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 such employees should not be involved in an appointment, or any other decisions relating to discipline, promotion or pay and conditions for any other employee or prospective employee to whom they are related, or have a close personal relationship outside work.

## **8. Equality Issues**

- 8.1 Staff should ensure that Council policies relating to equality issues are complied with in addition to the requirements of the law. Everyone, including customers, other employees, potential employees, clients and customers are treated consistently with respect and in accordance with the principles of equal opportunities and human dignity.

## **9. Customer Care**

- 9.1 Staff are expected to conform to the standards of the customer care programme as specified in the Customer Care Charter, the codes of conduct for writing letters, answering phones, service charters and the requirements of the complaints policy and procedures.

## **10. Health and Safety**

- 10.1 The Health and Safety at Work Act 1974 applies to everyone at work and to the general public, visitors and clients who may be affected by work activities.

- 10.2 As employees, members of staff are responsible for:

- making themselves familiar with, and conform to, the health and safety programme at all times;
- observing all safety rules at all times;
- wearing appropriate safety equipment and use appropriate safety devices at all times.
- conforming to instructions given by their Manager and others with a responsibility for health and safety;
- reporting all accidents and damage to his/her supervisor whether persons are injured or not;
- making suggestions to improve health and safety in the workplace to your supervisor;
- reporting all hazards and defects to your supervisor.

## **11. Council Policies and Practices**

### **11.1 No Smoking at Work**

Smoking is not allowed in any of the Council's premises including civic, and public areas in the Docks buildings. Staff must abide by the Council's No Smoking Policy.

### **11.2 Alcohol and Substance Abuse**

Any employee, who is identified as having alcohol related or substance abuse problem, will be treated in accordance with the guidance notes on alcohol and substance abuse.

### **11.3 IT Security**

- (a) Staff must follow the rules and regulations laid out by the IT Security Policy when using the internet.

- (b) Staff must also follow the Council's e-mail user policy when sending and receiving e-mails.

#### 11.4 Whistleblowing

The Public Interest Disclosure Act 1998 provides protection for workers who disclose information which might otherwise be regarded as confidential.

Gloucester City Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, the Council encourages employees and others with serious concerns about any aspect of the Council's work to come forward and voice those concerns via the Whistleblowing Policy. It is recognised that certain cases will have to proceed on a confidential basis and this policy makes it clear that staff can do so without fear of reprisals.

#### 11.5 Use of Office Equipment

- (a) Staff must follow the Council's policy regarding the use of office telephones/mobile phones and fax machines, as stated in the employee handbook.
- (b) Staff must not utilise property, vehicles or other equipment and facilities of the Council for personal use unless authorised to do so.

### **12. Investigation by the Monitoring Officer**

- 12.1 Where the Monitoring Officer or an Internal or External Auditor is undertaking an investigation in accordance with the Council's adopted standards arrangements, an employee must comply with any requirement made by the Monitoring Officer in connection with any such investigation.