

## **SWINDON BOROUGH COUNCIL CODE OF CONDUCT**

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## **1. Introduction**

### **1.1 Overview**

As an employee of the Council, you are involved in complex issues associated with the provision of community services. The way you carry out your duties must promote and maintain public confidence and trust in the work of the Council.

Although there is no single set of rules that can answer all ethical questions, the Council's Code of Conduct provides an ethical framework for the decisions, actions and behaviour of your work as a public official. If you find yourself in a situation where there is no clear agreement on what is 'the right thing to do', you can:

- refer to this Code of Conduct, Ethical Decision Making Guidance (Appendix 1) and/or any applicable guidelines, policies and procedures;
- discuss the situation with your line manager and use the Quick Guide to work through the issues;
- contact Human Resources, Audit or Law and Democratic Services for assistance.

This Code of Conduct will:

- help you to understand how you can fulfil your ethical obligations in performing your role;
- set clear expectations for your conduct as a public employee in the Council; and
- provide guidance to help you deal properly with ethical issues you may encounter in your work.

### **1.2 What is the Code of Conduct?**

This Code of Conduct is designed to provide guidance about what is expected from you in your daily work and in your dealings with elected members, colleagues and the public.

All Council employees must be familiar with the Code of Conduct. This document forms part of your contract of employment and you are required to comply with its contents. Failure to do so may result in disciplinary action, which could include dismissal.

For this reason, it is important that you read the WHOLE of this document and ask your manager or supervisor for clarification if there is anything in it that you don't understand and needs explaining. Once you have signed and returned the acceptance section of your written statement of employment particulars, it will be assumed that you understand its contents and agree to comply with your contract of employment and all the rules, policies, etc that it refers to.

If you have management responsibilities, you need to ensure that employees reporting to you have access to the Code and are given opportunities for training where appropriate.

The basis for this revised document is: the Local Government Act 2000; the working party comprising the Local Government Association, the Employers Organisation and the public sector unions; and the nationwide consultation co-ordinated by the Office of the Deputy Prime Minister (ODPM).

### **1.3 Who does the Code apply to?**

The Code applies to all employees and anyone acting as an employee of Swindon Borough Council. Inevitably, some of the issues covered will affect some employees more than others.

Although the Code does not directly apply to contractors, consultants, volunteers etc, the Council's continued association with these individuals and/or their organisations requires them to observe and comply with the Code. However, in some instances, compliance may be a condition of the contract between a third party and the Council, in which case their compliance with the Code would be binding. Elected Members have their own Code of Conduct, available on the Council's intranet site.

Breaches of the Code and standards set by the Council may result in disciplinary action. If you are unsure about any aspect of the Code, please raise it with your manager or supervisor at the earliest opportunity.

### **1.4 What can you expect from the Council?**

The Council exists to provide services to the public. All these services are delivered by people - the Council's employees. For the Council to run efficiently, it's vital that you understand your work and your responsibilities whilst at work. You also need to understand how your activities outside work may affect your ability to do your work during working hours.

In order to be clear about your responsibilities, the Council has various rules, procedures and policies that affect all employees. Some of these originate from European Law, others from UK Law implemented by Central Government, and others that are specific to the Council. There may also be very particular rules, requirements or codes that apply to your job or work area which you will have been told about before you start work. You will be advised should these rules, procedures etc change during your working life with the Council.

The Council has a responsibility to ensure that:

- You are clear about what is expected of you;
- You have a safe and healthy working environment
- You have a work environment that is free of discrimination, harassment or bullying
- You are offered relevant training and development opportunities
- You have the opportunity to choose to be represented by a Trade Union in appropriate circumstances as determined by Council policy

## **1.5 What does the Council expect from you?**

In summary, you are required to:

- Attend work in a condition where you are able to carry out your duties safely and effectively
- Act honestly
- Act with dignity and treat all others with dignity and respect
- Work in accordance with the terms and conditions of your contract of employment and job description
- Understand and apply the Council's rules, policies and procedures
- Be committed to delivering quality services to service users.
- Understand and act in accordance with the Council's vision and values, policy and procedures.

## **1.6 Where can you find details of the policies and standards that apply to you?**

The various sections of this document summarise the Council's key policies and procedures in respect of behaviour and the ways in which you are required to work.

If you are affected by any of the policies contained in this document or you are in any doubt about how they apply to you, you should always refer to the detailed rules or the policies and procedures in full in any of the following ways:

- You can ask for a paper copy from your line manager or supervisor.
- You can contact the HR First Response Team on extension 4343 and either ask for it to be emailed to you or for a paper copy
- Through your New Starter induction process
- You can find the information on the Council's Intranet site, in the Employment section (or wherever it is). If you are reading this code on the Intranet, where a relevant document is indicated as available on the Intranet, it can be found by simply clicking on the reference (hyperlink) shown (show example of how it will look).

## **1.7 What happens if the content of the Code changes?**

The Council will take every reasonable step to ensure that the Code of Conduct is kept up to date. The most up to date version will always be the one that is available on the Intranet site. Changes to the Code will be consulted on with Trade Unions and widely communicated.

## **2. Standards of Behaviour**

### **2.1 Workplace Behaviour and Personal Conduct**

You should treat colleagues, elected Members and members of the public with dignity and respect.

You should:

- Ensure that your conduct is not inappropriately discriminatory or harassing to others;
- Ensure your behaviour and performance meets workplace standards at any time that you are representing the Council or are likely to be identified or associated with your role as a public official (whether or not you are 'on duty' at the time).
- Make sure you are familiar with and follow the Council's policies on equal opportunities and the prevention of discrimination and harassment.
- Make reasonable efforts to develop and maintain appropriate skills in valuing diversity.

#### **For example:**

- Offensive, abusive, belittling or threatening behaviour directed at an individual or group is unacceptable conduct;
- It is not acceptable to restrict access to training or promotional opportunities on the basis of sex, sexual orientation, marital status, disability, race, colour, nationality or national origin, religion, age, address or union membership status.
- You should make any reasonable adjustment to enable a person with a disability to perform a job;
- When dealing with aggressive or agitated customers, you should deal with the person without aggression or bias;

- You must not engage in any behaviour of a sexual nature that is unwelcome as it is unacceptable and unlawful conduct. For example leers, suggestive notes or e-mails, innuendo, or touching.

## 2.2 Grievances

If you have a concern or grievance in relation to certain aspects of your employment then you can use the Grievance procedure. This provides an opportunity for you to formally lodge a grievance that has not been resolved through informal means. Any employee who submits a grievance in good faith will not suffer any adverse consequences as a result of submitting the grievance.

## 2.3 Reporting Absence

If you are unable to attend work for any reason, you must advise your manager as soon as possible. In the specific case of sickness absence, you must advise your manager **within half an hour of your normal start time (at least)** to enable your manager to make alternative arrangements for your work to be covered. Further information is available in the Council's Sickness Absence Policy.

## 2.4 Misconduct

The Code of Conduct guides and assists employees acting in good faith. If, in your decisions, actions or conduct you wilfully fail to comply with the standards outlined in the Code of Conduct, you will be guilty of misconduct and are likely to fall subject to disciplinary action, which could include dismissal.

## 2.5 Learning and Development

You are obliged to participate in relevant learning and development opportunities to develop the skills and knowledge necessary to perform your job and to enhance the delivery of services to the community.

You should seek feedback on your work performance and reasonably engage in any plans for improving your work performance.

## **2.6 Alcohol and Drugs**

You must not consume alcohol, use illicit drugs or other illegal substances while at work. You must also ensure that the use of any of them does not adversely affect the work performance and safety of yourself or others, and does not bring the Council into disrepute.

Similarly, if you are taking legally prescribed or over-the-counter drugs, you must ensure that their use does not adversely affect your work performance and the safety of yourself and others.

If you are a supervisor or manager, you will need to consider the options available for assisting employees who are required to take legally prescribed drugs and whose level of performance has been impaired. In these circumstances, a risk assessment should be undertaken with the assistance of the Occupational Health service.

Further guidance is available in the Council's Substance Misuse Policy and Guidance.

For example, if you are:

- On call, you should not consume alcohol in the event that you are recalled to work;
- Taking prescribed medication, you should ensure you are well aware of any side effects that may impair your ability to do your job.

## **2.7 Health, Safety and Well-Being**

All employees have a personal and legal responsibility under the Health and Safety at Work Act 1974 for themselves, colleagues and visitors to the Council's buildings and premises.

These responsibilities are identified in the Council's Health and Safety policy. In summary, the policy states that you must:

- look after the health and safety of yourself and others who may be affected by your actions or failure to carry out certain actions at work.
- Co-operate with your manager, attend training sessions, carry out reasonable instructions.



### **3. Protecting the Council and its Employees**

#### **3.1 Other Employment**

In some instances, your contract of employment may prevent you from undertaking other employment without the written permission of your manager. If this is the case, it will be detailed specifically in your written statement of particulars (what you may refer to as your 'contract').

It is important that you ensure that any additional employment does not conflict with the interests of the Council or affect your ability and credibility to do your job. You must also ensure that Council time and/or resources are not utilised in connection with any approved private employment.

If in doubt, the best thing to do is to discuss the circumstances with your manager. Further guidance is also available the Council's Additional Employment Policy.

#### **3.2 Use of Authority**

You should not use your official position, status, powers or authority to seek to improperly influence a decision or action.

You are expected to provide honest, impartial and comprehensive advice regardless of your personal assessment on a matter. If your personal views conflict with the performance of your official duties or if you believe that you cannot act impartially, you should contact your line manager and attempt to resolve the conflict.

When requested, you are expected to provide Members, the Chief Executive, line managers and co-workers with advice which is frank, independent, based on an accurate representation of the facts and as comprehensive as possible.

When exercising a discretionary power, you should ensure that the power is being used properly, impartially, equitably and is consistent with relevant legislation, delegations, procedures or guidelines. In exercising any power associated with your employment, you must ensure that you are either statutorily authorised to do so or that you have been delegated the power by a person with the necessary authority to issue the delegation.

For example, you should not:

- Use your status or position to obtain a transfer, promotion, advancement or appointment for yourself or another person or to improperly influence a selection process;
- Falsify or improperly edit or destroy official records;
- Seek to obtain a more favoured status for a funding application or for services to a particular stakeholder; or
- Instruct an employee to do any of the above.

### **3.3 Conduct Outside Working Time**

Generally, what you do outside work is your own concern, but you should avoid doing anything that might adversely affect the reputation of the Council or bring the Council into disrepute. In your official capacity (as a Council employee) or personal capacity, you must not allow your personal interests to conflict with the Council's requirements or use your position to improperly confer an advantage or disadvantage on any person. If you are not sure whether or how this may affect you in your Council role, speak to your manager. If you act contrary to a caution provided by your manager, you may find yourself subject to disciplinary action.

### **3.4 Criminal Charges and Convictions**

The Council requires all applicants for jobs to disclose all contraventions of, or failures to comply with, any provisions of law, whether committed in the UK or elsewhere, unless the Rehabilitation of Offenders Act applies and the rehabilitation period has expired. In some circumstances, Criminal Records Bureau checks are conducted on all successful applicants for certain positions in the Council.

Once you are an employee, you must notify the Council in writing if you are charged with any offence or if you are convicted of any offence. If you are charged with an offence, the notice must be given immediately after you are charged (ie. next working day). If you are convicted of any offence, the notification must be given immediately after you are convicted (ie. next working day). It should be noted that the term "conviction" includes a finding of guilt, regardless of whether or not a conviction is recorded. Failure to notify the Council in either case will constitute grounds for disciplinary action.

### **3.5 Use of Council Property, Facilities and Equipment**

Council facilities are to be used for the Council's business and for no other purpose unless you have your Director's (or nominee) permission beforehand.

Reasonable personal use of telephones, photocopiers, computers and faxes is allowed provided you have been authorised to do so by your manager. However, no private work may be carried out in the Council's time, or on the Council's premises or with the use of the Council's equipment.

The Council allows reasonable, non-official use of internet and email, as long as individual or service performance is not compromised or adversely affected as a result. Your line manager can provide you with clarification as to what constitutes reasonable, non-official use. However as a general rule, such use should be restricted to outside of core working hours, during lunch breaks etc.

While use of public resources for non-official purposes may be permitted under relevant Council guidelines, managers should ensure that the use:

- Does not impact on the performance of duties and tasks;
- Is not for any unacceptable or unlawful purpose;
- Is not related to any private commercial work or income-generating activity;
- Does not erode public confidence in the Council;
- Does not hinder the work of the Council;
- Does not expose the Council to unintended legal liabilities; and
- Is approved by the Chief Executive or delegate if any cost from the use of property or facilities is incurred, or income derived.

### **3.6 Dealing with the Council's Money**

All employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Council.

Should you have responsibility for budgets and/or purchasing, you must ensure that you understand and comply with the Council's Standing Orders, Financial regulations etc.

When committing Council money, you must ensure that there is an approved budget for such expenditure and that the expenditure is within the limits that you are personally authorised to incur.

Employees involved in the tendering process and dealing with contractors must be clear on the separation of client and contractor roles within the Council.

You must declare any financial interest, whether direct or indirect that you or your partner may have in any contract or proposed contract with the Council. You should also consider declaring non-financial interests, for example, where you do voluntary work for an organisation in receipt of a grant from the Council. If you are in any doubt then you should make a declaration.

### **3.7 Conflict of Interest**

If a conflict occurs between your private interests and public duties you must resolve the conflict in favour of your public duties. You can refer to Council procedures or guidelines for advice in analysing, declaring and registering conflicts of interest.

You must advise your manager in writing of any personal or immediate family private interests that may give rise to a conflict of interest with your official duties, particularly if you are involved in making decisions affecting contracting, tendering or regulatory functions.

You should comply with any reasonable request from the Chief Executive to provide information relating to your personal interests or the interests of a dependent or spouse.

Examples of conflicts (or perceived conflicts) between personal interests and public duties that should be declared and in some cases avoided include:

- employees in positions that could influence or be perceived to influence, funding allocations, accepting appointments to executive or management positions in organisations that receive or seek to receive funding from the Council;
- as a purchasing officer liaising with a supplier who employs one of your close relatives;
- employees being contracted to provide services to the Council outside of their paid employment;
- generating work which involves travel to provide an opportunity to visit friends;
- a supervisor who is in a position to approve higher duties or provide other benefits to a subordinate where a close personal relationship exists (such as a partner or family member or close personal friend);
- involvement with an interview panel when a relationship exists with one of the applicants.

### **3.8 Gifts and Hospitality**

The Local Govt Act 1972 states that an employee shall not “under colour of his office or employment accept any fee or reward other than their proper remuneration (i.e. salary/pay)”

Small low value gifts such as flowers, a box of chocolates, diaries or similar items that may be used at work or shared with colleagues, may be accepted providing they are declared and recorded in the Register of Interests held by the Monitoring Officer. Other non-work related gifts (particularly drinks or hospitality etc) must not be accepted under any circumstances.

Should you be placed in a position where refusal of a gift would cause offence (this may be particularly relevant around Christmas and other festivals) it is suggested that consideration be given to passing the gift to the Mayor for use in relation to his/her charity.

If you are in any doubt, you should seek the guidance of the Council's Monitoring Officer, or the Head of Internal Audit before accepting any gifts or hospitality offered.

### **3.9 Sponsorship**

Where the Council sponsors an event or service, an employee, or any partner, spouse or relative must not benefit from the sponsorship. Employees must seek guidance from their manager if they are involved with any event or service that the Council proposes to sponsor.

### **3.10 Political, Professional and Trade Union Activity**

You should ensure that your right to engage in political, professional or trade union activities does not result in an actual or perceived conflict of interest with your official duties with the Council. You should ensure that you are able, and be seen to be able, to remain unbiased in the performance of those duties.

Council employees serve the Council as a whole and in carrying out your work you must be politically neutral, ensuring that individual rights of all elected Members are respected. In your capacity as a Council employee, you should not attend meetings of political groups unless specifically authorised by the Chief Executive or your Group Director. Such neutrality does not mean that you cannot be a member of a political party.

If you are a member of a profession, you are expected to uphold the standards of performance and conduct set by the relevant professional association and this Code of Conduct. However, it is noted that there can be exceptions to this where there is legislative authority to do so. If you believe a conflict exists between your official role and the standards of your profession, you must raise your concerns with your line manager.

If you are a workplace representative of a trade union or professional association, you should ensure that when you make public comment, it is clear that comment is made on behalf of the union or association you represent and not the Council. Provisions relating to Facility Time to undertake official union roles are outlined in the Council's Facility Time Agreements.

### **3.11 Information Disclosure and Confidentiality**

As a Council employee, you may obtain information that has not been made public and is still confidential. You must never disclose information given in confidence by anyone, or information acquired which you believe is of a confidential nature, without the consent of a person authorised to give it or unless you are required to by law.

You must not prevent another person from gaining access to information to which that person is entitled by law. You must not disclose confidential information for your own personal use or for use by anyone else known to you, or to the disadvantage or the discredit of the Council or anyone else.

You must always observe the provisions of the Data Protection Act 1998, the Freedom of Information Act 2000 and the Council's procedures for the release of personal information held about other employees or members of the public. Breach of confidentiality may be considered a disciplinary offence, which could result in dismissal.

When you leave your employment with the Council, you must still respect the confidentiality of official information that may have been available to you in the course of your duties and not use this information for private, commercial or political gain.

### **3.12 Intellectual Property**

Intellectual property is a legal term that refers to the rights and obligations received and granted, including copyright. Ownership of intellectual property is determined by considering the circumstances in which it was conceived and developed. The Council owns the copyright in material made by, or under its direction. Whether you are an employee or a contractor, copyright in material you produce in the course of your work

belongs to the Council, unless otherwise explicitly provided for in your contract of employment.

You are required to obtain permission from the Chief Executive or their delegate before publishing or disclosing any articles, processes or materials that you have produced as part of your employment.

You must ensure that consultants and contractors engaged to provide a service for the Council are aware that this work is the intellectual property of the Council.

### **3.13 Security**

You must visibly display your Identification Badge at all times while you are on any Council premises. All employees are required to challenge anyone in an employee and/or secure area of the Council's premises without either an Employee ID or Visitor's Badge. You must not allow any individual not displaying an ID Badge to follow ("tailgate") you into any secure area of the Council's premises.

If you come to work without your badge, you must report to the nearest Customer Services point to collect and use a temporary replacement. If you lose your ID Badge, you must report it immediately to your manager. You will be required to pay for a replacement.

If you have a visitor coming to see you at the Council's premises, you must follow the Visitor Monitoring arrangements.

### **3.14 Public Comment on Council Policy and Administration**

'Public comment' in this section includes public speaking engagements, comments on radio and television, letters to newspapers, and expressing views in books, journals or notices if it is expected that the comments will spread to the community at large.

All media requests for information and enquiries that relate to policy and procedures or operational activities must be referred to the Council's Communications Team. The Council procedure should be followed in these instances.

When making authorised public comment in an official capacity, you must:

- Ensure it is part of your official role;
- Not misrepresent the facts concerning Government or Council policy or administration;
- Comply with the confidential information provisions of the Data Protection Act; and



- Respect the confidentiality of information that has not been approved for release either by the Cabinet or through official Council channels.

In your capacity as a private citizen, you have the same rights as any other member of the public to openly discuss or comment on community and social issues. However, there are some circumstances where you may still need to take care in making such comments. For example, a situation could arise when public comment, although made in a private capacity, may appear to be an official comment on behalf of the Council. In such circumstances you should indicate clearly that your comment is made in a private capacity and does not represent the official view of the Council.

It is your responsibility to take all reasonable steps to ensure that any comment will be understood as representing your personal views as a private citizen. If you are a workplace representative of a trade union or professional association, you should ensure that when you make public comment, it is clear that comment is made on behalf of the union or association you represent and not the Council.

If you are in any doubt, contact your line manager or the Director, Customer Communications (email link or phone number).

### **3.15 Internal Audit and Risk Management**

An effective internal audit function and risk management framework are important mechanisms for the Council to ensure effective internal control, good financial systems and management of risk. All employees have a responsibility to contribute to this work and, where an agreed action plan makes you personally responsible for progressing a particular action, it is your responsibility to ensure that it is undertaken within the agreed timescale.

## **4. Ways of Working**

### **4.1 Managerial Roles and Responsibilities**

As a manager, you have a responsibility to set a good example for employees through your own behaviour and attitudes, especially in relation to upholding the ethical principles, obligations and standards as set in this Code of Conduct. You should ensure that you understand your responsibilities under relevant financial, technological, information, human, knowledge/intellectual and physical asset management legislation,



policies and procedures, maintaining the principles of accountability, continuous improvement, fairness, flexibility and equity in the workplace.

You should ensure that employees understand performance standards expected from them and objectively assess their performance against these standards.

You must ensure that relevant legislation, delegations, and Council policies and procedures are accessible to all employees in your workgroup.

You should ensure that all employees who report to you are familiar with the requirements and objectives of their job, and have access to the information, training, supervision, feedback and work conditions needed to achieve them.

You should be honest and objective in reporting the skills and qualities of employees in testimonials; references and performance reports, ensuring your decisions can be substantiated against objective standards and indicators.

You are required to act promptly, thoroughly and fairly when responding to, or investigating grievances and reports of breaches of the Code of Conduct.

To avoid any accusation of bias, you must not be involved in the appointment of any applicant if you are a relative or friend to them. Similarly, you must not be involved in decisions relating to discipline, promotion or pay adjustments for any employee who is a relative, partner or friend. If you are in any doubt, you should discuss the matter with your manager.

You should ensure your leadership and management style:

- Is based on open, honest and thorough communication;
- Provides for optimum working conditions within the resources available to you;
- Supports positive performance management processes, including access to related learning and development opportunities for employees; and
- Supports the right of employees to engage in open dialogue with you, and to pursue relevant conflict and grievance management options when issues arise.

## **4.2 Following Instructions**

You:

- Are expected to follow all reasonable and lawful instructions related to your work given by a person with the authority to issue such instructions;
- Should accept that you may not personally agree with all decisions made by your manager;
- May refuse to comply with an instruction that appears to be unlawful and report the matter to an appropriate senior officer;
- Should tell the person giving an unreasonable instruction that the instruction is, in your view, unreasonable and allow them the opportunity to respond. In the interim, you are generally required to carry out the instruction unless:
  - there is a danger to a person's health and safety; or
  - a conflict of interest may exist; or
  - it does not comply with Council policy and practice.

Managers must be able to justify their instructions and decisions in line with their delegations, authority, and Council policies and procedures, and be open and respond promptly to constructive questions.

If you object to an instruction on genuine conscientious grounds, or if there may be a perceived conflict with a professional code of ethics, you should attempt to negotiate and resolve the matter with your manager to achieve a mutually acceptable solution. If a local resolution is unable to be reached, refer the issue to your Director or Group Director.

## **4.3 Working with Councillors**

Mutual respect between employees and councillors is essential to good local government. Close personal familiarity between employees and elected Members can damage the relationship and cause embarrassment to other employees. Such familiarity should be avoided. The Council has agreed a Member/Officer Protocol that councillors and officers must comply with. Councillors have their own Code of Conduct that they are also required to comply with.

## **4.4 Communication with Senior Officers and Members**

When required, you are expected to provide Members, the Chief Executive or other line managers with advice that is frank, independent, based on accurate and comprehensive representation of the facts. This includes setting out the advantages, disadvantages, costs and consequences of the available options and where appropriate, recommending a course of action.

When communicating directly with Members on issues affecting you as a private citizen, you should ensure your actions comply with the obligations relating to public comment.

As a private citizen you have the right to communicate directly with a Member of Parliament on any issue affecting you as a private citizen.

#### **4.5 Working with Local Community and Service Users**

Employees should always remember their responsibilities to the community they serve and should provide courteous, efficient and impartial service delivery to all groups and individuals within the community.

#### **4.6 Working with Contractors**

All relationships of a business or private nature with external contractors, or potential contractors, should be made known in writing to the Director of Procurement and copied to the Director of Law and Democratic Services. Orders and contracts must be awarded in accordance with the Council's Standing Orders and procurement process. No special favour in the tendering process must be shown to businesses run by, for example, friends, partners, or relatives. No part of the local community must be discriminated against.

#### **4.7 Working Safely**

Any activity that presents a significant risk to the health, safety or well-being of an employee or other person must have been subject to a written risk assessment. This is a tool which managers must use to determine the safest and best way of carrying out the work, including appropriate training, personal protective equipment etc. Appropriate safety controls should all be summarised on the risk assessment or safe system of work procedure and provided to the relevant employees.

Employees must follow the resulting safe system of work to ensure their safety and that of others is not put at risk. If these are not in place, speak to your manager in the first instance or your Health and Safety adviser.

***For example, you must:***

- Comply with the instructions given for workplace health and safety at the workplace by the Council;

- Use personal protective equipment if the equipment is provided and you have been properly instructed to use it;
- Not wilfully or recklessly interfere with or misuse anything provided for workplace health and safety at the workplace;
- Not wilfully place at risk the health and safety of any person at the workplace;
- Not wilfully injure yourself;
- Report to your supervisor any workplace hazards that cannot be immediately rectified;
- Ensure that you comply in practice with any guidelines given for performing manual handling tasks; and
- Take all reasonable steps to ensure that employees you supervise are following guidelines and have access to job-specific training.

#### **4.8 Dress Standards**

Your dress style must reflect appropriate workplace health, safety and security considerations applicable to your job and work environment.

### **5. Reporting Breaches of the Code and Whistleblowing**

If you are concerned about any practice you see in the Council which you think conflicts with the Code of Conduct, you should obtain advice from your manager, your department head, Trade Union representative, or any other appropriate person as identified in the Council's policies above (BE SPECIFIC?).

The Public Interests Disclosures Act 1998 and the Council's Disclosure (Whistleblowing) Policy can provide safeguards for employees and public officials who disclose unlawful and improper conduct including breaches of this Code.

Disclosures might be about:

- Official misconduct; or
- Incorrect administration; or
- Negligent or improper management affecting public funds.

Public interest disclosures should be made directly to the Monitoring Officer, who is the Director, Law and Democratic Services, or to the Head of Internal Audit on the confidential whistleblowing line 01793 464603.

Any suspicion of money laundering must be reported in the first instance to the Director of Finance.

## **MAKING AN ETHICAL DECISION – A QUICK GUIDE**

Not every ethical dilemma can be detailed in a Code of Conduct. This is because every situation is different. To help you assess a situation, a useful rule is – **when in doubt, talk about it**. You can talk with your manager, a colleague, trade union representative, or an adviser from Human Resources or Law and Democratic Services.

It is important to analyse all the relevant facts and circumstances before deciding what is the ethical thing to do.

### **1. What is the problem? – describe the situation**

- What is happening and who is involved?
- Who is affected?
- What are the job expectations?
- What are the actual or foreseeable consequences and impact?
- What guidance is there in legislation and the Code of Conduct?
- Which Council policy or procedure applies?
- Why do I feel uncomfortable with this?

### **2. Is it an ethical problem? – apply the Code of Conduct**

- What ethics obligations and standards apply?
- Would the public see the proposed conduct, decision or advice as fair, honest and appropriate?
- Is the public's confidence in the Council at risk?
- Are the values of natural justice, accountability and reasonableness met?
- Has the Council's duty of care been compromised?
- Are my personal and professional beliefs and values compromised?

### **3. What action should be taken? – identify options**

- Do I have the power or authority to deal with the issue?
- Who else should I talk to?
- What options are available that meet the relevant ethics principles?
- What is consistent with current policy and practice?
- What are the pros and cons of each option?
- How would the public view these options?
- What feels right to me as a professional public official?

### **4. What is the most ethical option? – choose a course of action**

- Is the decision fair and equitable as outlined in the ethics principles?
- Does it provide a reasonable balance between competing interests and values?
- Is it consistent with relevant legislation, policy and practice?
- Can the decision be justified to Members and the public?

- Can the decision be easily explained?
- Is it easy to document the key issues and explain the reasons for the decision?
- Do I feel comfortable?

**5. What changes may need to occur? – follow up**

- Is this ethical issue an isolated event or does it represent a wider Council issue?
- Who needs to be advised and how?
- What do I need to do to prevent the situation occurring again?

