

CHILTERN AND SOUTH BUCKS DISTRICT COUNCILS' EMPLOYEES CODE OF CONDUCT

Version control

Version	Owner	DATE	DESCRIPTION	REVIEW DATE
1	HR	01 01 16	Harmonised Employee Code of Conduct	01 02 18
2	HR	01 02 18	Periodic review and inclusion of reporting requirement around modern slavery.	01 02 20

1. INTRODUCTION

The Councils exist to provide services to the public. The customers and communities we serve are entitled to expect the highest standard of conduct from employees of Chiltern and South Bucks District Councils. This code sets out the minimum standards of conduct that are expected from you as a Council employee. The aim of the Code is to set guidance for employees to help maintain and improve standards and protect employees from criticism or misunderstandings.

2. STATUS AND SCOPE OF THE CODE

This Code of Conduct applies to all employees and sets out what is expected from you in your daily work while employed by either Council. Wider workers such as agency workers, consultants and volunteers are also required to abide by the Code and so in this document, "employee" should be read to include all of these groups.

The code does not affect your rights or responsibilities under the law. Its purpose is to provide clear and helpful advice to you. Because of the nature of your work, some parts of the code may apply more to some of your colleagues than to you. It is important you read the code and ask about anything that isn't clear as failure to comply with these standards will be viewed as misconduct and may give rise to disciplinary action.

3. THE PRINCIPLES OF PUBLIC LIFE

Employees are required to abide by "The Nolan Principles of Public Life". These are:

- **Selflessness:**
You should not take any decisions which will result in any financial or other benefit to yourself, your family, or your friends. Decisions should be based solely on the best interests of the Councils.
- **Integrity:**
You should not place yourself under any financial or other obligation to an individual or an organisation which might influence you in your work with the Councils.
- **Objectivity:**
Any decisions must be made solely on merit, including making appointments, awarding contracts, or recommending individuals for rewards or benefits.

- **Accountability:**

You are accountable for your actions and your part in making decisions, you must co-operate with whatever scrutiny is appropriate to your post.

- **Openness:**

You should be as open as possible in all the decisions and actions that you take. You should give reasons for your decisions and should not restrict information, unless this is clearly required by Council policy or by the law.

- **Honesty:**

Be truthful. You have a duty to declare any private interests which might affect or be perceived to affect your work with the Councils.

- **Leadership:**

Actively promote and exhibit these principles by behaving in a way that gives people complete confidence in the Councils. Report/challenge poor behaviour.

4. VALUES AND BEHAVIOURS

The behaviour we promote and expect our employees to adopt is set out in the Councils' Value and Behaviours, which are set out in full on the intranet. Our five values are:

- Customer Focused
- Courteous
- Challenging
- Committed
- Collaborative

5. GENERAL OBLIGATIONS:

The Councils' Obligation

The Councils will 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 from discrimination, harassment or bullying;
- you are offered relevant training and development.

It is important to maintain conduct of the highest standard such that public confidence in your integrity is sustained. For the Councils to provide excellent services to the communities they serve it is vital that you understand your role and your responsibilities whilst at work and undertake your role in a safe and effective manner. Your role as an employee is to serve the Councils in providing impartial advice, implementing their policies and delivering services to the local communities. In performing your duties you should act in accordance with the Councils' Vision and Values, policies and procedures, all of which are available on the Councils' shared intranet. Please familiarise yourself with these together with your job description and annual objectives.

6. DISCLOSURE OF INFORMATION

The Councils' decision-making processes should be transparent and open. The Councils provide the public with clear and accessible information about how they operate. The Freedom of Information Act 2000 gives a

right to access to information held by the Councils in accordance with their publication scheme. There is also a complaints procedure in place for the public to use when things go wrong. You may be required in the course of your duties to make certain information available to councillors, auditors, government departments or service users.

There are exceptions to the principle of openness where confidentiality is involved, and information may be withheld if, for example it would compromise a personal or commercial confidentiality, unless there is a legal duty to provide this information.

Employees should not use any information obtained while working for the Councils for personal gain or benefit, nor should they pass it on to others who might use it in such a way.

7. CONFIDENTIALITY

You are required to safeguard all confidential, commercially sensitive and personal data that you have access to and adhere to the Councils' Data Protection and Confidentiality Policy and the Councils' Data Breach Policy. Confidential information obtained must only be used for Council business and only for the purpose it was obtained.

- You will not, without written consent, make personal use of or divulge to any unauthorised person confidential or sensitive information either during or after your employment.
- You will use your best endeavours to prevent the publication or disclosure of confidential information, unless this is in the proper performance of your duties.

8. INTELLECTUAL PROPERTY

Intellectual property includes, but is not limited to, inventions, patents, drawing, records, papers and any other documents and papers relating to the Councils. If these were created or acquired by an employee during the course of their employment then they will remain the property of the Councils.

Knowledge and information held by the Councils is the property of the Councils and must not be used for other purposes including outside paid employment.

9. SECURITY OF INFORMATION

Use of the Councils' equipment, systems and network is provided as part of your role. You must adhere fully to the Councils' ICT Security Policy. This details the standards expected from staff in protecting the security of information including standards on the use of the internet, external e-mail, computer security, accessing files and data held on your computer. You are also required to comply with the Councils' Data Protection and Confidentiality Policy and Social Media Policy.

10. POLITICAL NEUTRALITY

The public expects you to carry out your duties in a politically neutral way. Employees serve the Councils as a whole and must serve all councillors equally, not just a single political group. You must not allow personal or political opinions to interfere with your work and you are required to implement the decisions/policies of the Councils irrespective of your personal views. The Councils respect the rights of employees to hold personal or political opinions; employees should ensure that the expression of those opinions does not constitute a conflict of interest. Employees who have concerns about whether there is a potential conflict of interest should raise the matter with their line manager.

If employees are asked by a councillor to provide assistance with a matter which is clearly party political, or does not have a clear link to the work of the Council, they should politely refuse and inform the councillor that the matter will be referred to their line manager.

Some employees will have a close working relationship with councillors of the majority political group (or groups) which form the administration of the Council. Political groups may sometimes seek advice from Council employees. Where this occurs the Chief Executive must be informed in advance of any meeting or advice being given.

The political activities of a small number of staff are restricted by law. If your post is politically restricted this will be set out in your Statement of Particulars and you will need to comply with the statutory restrictions on your political activities. This includes not standing for elected office as a County, District or London Borough Councillor, MP or MEP, not writing, speaking or canvassing to affect public support for a political party and not holding office in a political party.

11. CONFLICT OF INTEREST

As a Council employee you must not undertake an act or omission which brings you into conflict with your employment or allow any private interest or opinions to influence your decisions at work. You must not use your position to further your own interests or the interests of others who do not have a right to benefit under the Councils' policies. You or a close family member/friend may have a private interest which relates to the work of the Councils. That interest may be a financial one, or one which a member of the public might reasonably think could influence your judgement. All such interests must be declared to your line manager. If in doubt seek advice from your line manager.

11.1 RELATIONSHIPS WITH COUNCILLORS

Both councillors and employees are servants of the public and they are indispensable to one another, but their responsibilities are distinct. Employees are responsible to the Councils through their senior managers and in many cases they give advice to councillors. Mutual respect between employees and councillors is essential for good service provision. Close personal familiarity between employees and individual councillors can damage this relationship and should therefore be avoided. Employees should deal with councillors in a polite and efficient manner. You must not attempt to influence a councillor out of a personal motive and must report to your line manager if a councillor attempts to pressurise you to deal with a matter outside of the Councils' policies.

11.2 CONTACT WITH THE LOCAL COMMUNITY AND SERVICE USERS

All citizens and service users have a right to be treated with fairness and equity. You must be courteous, effective and impartial in dealing equitably and consistently with the public.

11.3 APPOINTMENTS/EMPLOYMENT MATTERS

Employees involved in appointments, decisions in relation to discipline, promotion or pay adjustments for other employees where a family relationship or a personal friendship exists must declare any potential conflict of interest to their line manager.

11.4 OUTSIDE INTERESTS/PAID EMPLOYMENT OUTSIDE THE COUNCIL

Generally, what you do outside of work is your own concern, however as a Council employee you need to take care that your private activities including your use of social media does not adversely affect the reputation of

the Councils or put you in a position where there is a conflict of interest which may bring one of the Councils into disrepute.

The Councils will normally allow you to undertake paid employment in addition to your work for the Councils, unless there is a clear conflict of interest, or it is likely to have an adverse effect on the work of the Councils. For all Officers grade 5 and above there is a requirement in your Statement of Particulars for you to obtain approval from your Head of Service to take up any other additional employment or appointment. Depending on your role there may also be restrictions on the private work you may undertake. For all Officers below grade 5 it is advisable to first obtain approval from your Head of Service before taking up any other role or outside appointment, this is in your interest and to protect you. Please note you are not allowed to use the equipment or resources of either Council in any other paid employment.

You must also seek consent from your Head of Service before accepting any voluntary position in which you are acting on behalf of either Council or where there may be a conflict of interest.

If you are a member of an organisation or club, and membership might result in a conflict of interest in relation to any aspect of your work with the Councils, you must declare this.

11.5 RELATIONSHIPS WITH SUPPLIERS, CONTRACTORS, PLANNING/LICENSING/GRANT APPLICANTS

All Council decisions including orders, contracts, grants, planning and licensing decisions must be made on merit and no special favour shown in the tendering or decision making process and no part of the community should be discriminated against. You must let your line manager know of any relationship or beneficial interest which may affect or perceive to affect such a decision.

Officers purchasing goods/services are required to follow the Councils' Contracts Procedure Rules which set out the Councils' approach to dealing with all aspects of Procurement. You must declare any direct or indirect financial interest that you or a close family member/friend has or have previously had to your line manager. You should also declare any non-financial interests such as voluntary work for an organisation in receipt of a grant from the Councils.

If you are an employee involved in the tendering process and dealing with contractors you need to be clear on the separation of client and contractor role. Senior employees who have both a "client" and "contractor" responsibility in the tendering process must observe the requirement for accountability and even handedness in undertaking these two roles.

11.6 WHAT HAPPENS IF YOU ARE SUSPECTED/CONVICTED OF A FRAUDULENT, CRIMINAL OR CIVIL CONVICTION?

You will not be subjected to a detriment or face prejudicial treatment as a result of being the subject of an investigation by an official body, arrested or charged with a criminal offence. However, depending on the nature of the investigation/offence we may have to assess whether there is any conflict of interest and your suitability to continue to carry out your role.

You must tell your line manager if at any time during your employment with the Councils you are the subject of an investigation by an official body, arrested or convicted of a criminal charge: this includes motoring offences with the exception of road traffic offences dealt with by way of a fixed penalty notice. We will then assess whether or not this affects your suitability to continue to carry out your role or whether the disciplinary or capability policy should be invoked.

12. BRIBERY AND CORRUPTION

You need to be aware it would be considered corrupt for an employee to demand or accept any fee or reward other than their normal remuneration from anyone who may benefit from a decision, work, information or funding provided by the Councils. Please see section on gifts and hospitality below and ensure you comply with the Councils' Anti-Fraud, Bribery and Corruption Policy.

Under the Bribery Act 2010 it is a criminal offence to offer or give someone a reward to induce them to perform an activity improperly or to accept or agree to accept a reward in return for performing a relevant activity improperly.

13. GIFTS AND HOSPITALITY

In the acceptance of any gift or hospitality you need to be sure you will not be subject to legitimate criticism, if you are in any doubt you should seek advice from your line manager. You need to be careful as even with the best intentions, people could legitimately think gifts or hospitality might influence, or be intended to influence your judgement. You must follow the Councils' procedure for declaring gifts and hospitality including any authorisation required whether or not you accept or decline the gift.

You should not accept significant personal gifts from contractors, suppliers or members of the public, although you may keep items of token value such as pens, diaries etc. Offers to attend social or sporting functions should be accepted only when they are part of the life of the community or where either Council would be expected to be represented.

14. SPONSORSHIP

Where an outside organisation wishes to sponsor a Council 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 either Council wishes to sponsor an event neither an employee nor close family/friend must benefit from such sponsorship in a direct way without there being full disclosure to your line manager of any such interest.

15. COUNCIL RESOURCES

You have a responsibility to make sure that the Councils use their resources prudently and in accordance with the law. Please remember this principle when you use Council equipment, materials and resources, in order to ensure value for money. You should not utilise property, vehicles or other facilities of the Councils for personal use unless authorised to do so.

Some limited personal use of telephones, photocopiers and computers is permitted provided you have your line manager's permission. This use should be restricted to outside of working hours, e.g. in your lunch break, except in urgent or exceptional circumstances. Please refer to your Council's Acceptable Use policies.

16. USE OF FINANCIAL RESOURCES

The use of public funds entrusted to employees is to be used in a responsible and lawful manner. You should strive to ensure value for money to the local community and to avoid legal challenge to the Councils. Care should be taken in dealing with the Councils' financial resources and any errors or fraud should be reported. If you have responsibility for budgets or purchasing you must ensure you understand and comply with the Councils' Standing Orders and Financial Procedure Rules.

17. PRODUCTIVITY AT WORK

Residents may reasonably expect the highest standards of productivity from all those who work for the Councils. Personal activities should be kept to a minimum whilst working, for example this will include non-urgent private phone calls, text messaging and private internet activities.

18. CONTACT WITH THE MEDIA

In your work with the Councils, contact with the media should only take place where this has been authorised by the Councils. Please take advice from the Communications, Performance and Policy Team and ensure all press releases are issued via the Communications, Performance and Policy Team. Any subjects that appear to have legal implications should also be referred to the Legal Services Team.

As a citizen, you are entitled to express your views about the Councils provided you do not make use of any information gained through your work with either Council. It is advisable to take care in making any comments and to take all reasonable steps to ensure it is seen as representing your personal views as a private citizen.

19. EQUALITY ISSUES

One of the Councils' Behaviours is "encourage inclusivity, valuing diversity and equality". All members of the local community, councillors and employees have a right to be treated with fairness and equity and we ask all employees to endeavour to promote best practice in this area at all times. You are required to comply with the Councils' Dignity at Work Policy and Equality of Opportunity Policy in addition to the requirements of the law.

20. HEALTH AND SAFETY

The Councils are committed to promoting a healthy and safe working environment. You are expected to know and to comply with all Health and Safety policies available on the intranet and you have an obligation to take reasonable care of your own safety and for the safety of others who may be affected by your actions/omissions.

In the event of an accident or near miss involving yourself, a colleague or customer you should follow the accident reporting procedure. If you are involved in an incident involving a possible claim against either Council or an individual, you should not admit liability; the decision as to legal liability rests with the Councils' insurers.

21. SAFEGUARDING CHILDREN AND VULNERABLE ADULTS

The Councils are committed to best practice with regards safeguarding the health, wellbeing and human rights of children and vulnerable adults. If during the course of your duties you have any concerns about the treatment of a child or vulnerable adult you must contact your line manager and the designated officer, currently Martin Holt, Head of Healthy Communities, immediately. It is important any concerns are reported via the proper channels in accordance with the Councils' Joint Safeguarding Policy.

The Councils will determine which posts require a DBS (Disclosure and Barring Service) check. Where an employee is questioned, cautioned or arrested on a safeguarding matter they should notify their Director immediately.

22. MODERN SLAVERY

Modern Slavery can take many forms including the trafficking of people, forced labour, servitude and slavery. The term 'Modern Slavery' captures a whole range of types of exploitation, many of which occur together.

Local authorities have a duty to notify the Home Office of any individual encountered in England and Wales who they believe is a suspected victim of slavery or human trafficking.

If during the course of your duties you have any concerns about modern slavery or human trafficking please contact Martin Holt, Head of Healthy Communities, **in the first instance**. It is important any concerns are reported via the proper channels.

23. REPORTING BREACHES OF THE CODE AND “WHISTLEBLOWING”

Employees are expected, in accordance with procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of services. A separate Protected Disclosure Policy has been developed to enable employees and others to voice concerns.