

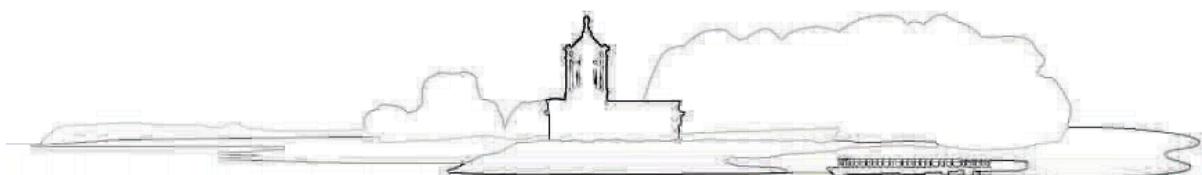


Rutland County Council

EMPLOYEE CODE OF CONDUCT

Version & Policy Number	Version 1.1
Guardian	Human Resources
Date Produced	June 2013 (updated January 2017)
Next Review Date	June 2019

Update Approved by SMT	April 2017
Constitution Review Working Group	16 July 2013 (v1)
Approved by Full Council	9 September 2013 (v1)
Update approved by EAC	(v1.1)
Approved by LJC	19 September 2013
Update	16 January 2017



Employee Code of Conduct

This Policy applies to all employees of Rutland County Council, except those based in Schools and Colleges.

The public expects the highest standards of conduct and service from all employees of the Council. The Employee Code of Conduct sets out the standards of behaviour that promote and reinforce the highest standards from everyone across the Council. There are few sectors with the breadth and scope to impact positively on so many individuals' lives; it is a great privilege to work in roles that perform such a critical role for the community.

The Code forms part of an employee's conditions of service and it is their responsibility to read and apply the standards set out in this and related documents including professional codes, policies and guidance. Any employee deliberately or knowingly acting outside the Code will be viewed as a serious matter that could result in disciplinary action.

Where an employee is a member of a professional body, they must ensure that they adhere to any professional code(s) of conduct in place in addition to this Code of Conduct.

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1. General Principles

- 1.1 The Employee's Code of Conduct establishes a set of core principles and standards which underpin the concept of public service and which are applicable to all employees of the Council regardless whether they work full time, part-time, casual or on a relief/interim basis.
- 1.2 The Council's vision is to ensure Rutland is a great place to live, work, play and visit. The Council's values underpin how we operate to service our Community.

2. Accountability

- 2.1 Employees must be accountable to the authority for their actions. They must act in accordance with the principles set out in this Code, recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.
- 2.2 Senior leaders in the organisation carry the responsibility of ensuring our efforts knowledge that, whilst the benefits can be enormous, the risk can also be great. Professional bodies of senior managers across local public services have come together to develop a code of ethics for their members. The expectation is that every senior manager working in local public services will adopt the code of ethics. Full details can be found on the Solace website' and the Council considers the behaviours outlines in this Code are aligned to the code of ethics (www.solace.org.uk/knowledge/reports-guides)
- 2.3 Senior Managers should exhibit in their own behaviour the 'Principles of Public Life' published by the Committee on Standards in Public Life. They should actively promote and robustly support the principles and be willing to challenge poor behaviour, including by all those employed to deliver local public services and elected representatives wherever it occurs.
- 2.4 Senior Managers should uphold the principles of a representative government and ensure the effective working of the democratic process.
- 2.5 If an employee's post is exempt from the Rehabilitation of Offenders Act and subject to a Disclosure and Barring Service check, they are obliged to notify their manager of any convictions, warnings, cautions, reprimands etc, no matter how minor, during their employment. All staff are required to disclose any conviction, warning, caution or reprimand that has the potential to impact their job.

3. Honesty, Integrity, Impartiality and Objectivity

- 3.1 Employees must perform their duties with honesty, integrity, impartiality and objectivity.
- 3.2 Employees in receipt of allowances or council tax discounts administered by the Council (eg. rent allowances or council tax discounts) must notify the

appropriate department promptly, in writing, of any change in circumstances that may affect entitlement. To deliberately fail to notify any material change of circumstance that results in overpayments being made, may be deemed a fraudulent act against the employer.

4. Duty of Trust

- 4.1 Employees must at all times, act in accordance with the trust that the public is entitled to place in them.
- 4.2 Any employee who is not clear about the application of this code in relation to particular circumstances should seek guidance from their line manager or the Human Resources team.
- 4.3 Employees whose work relies upon them fostering close relationships with members of the public, should adhere to the guidelines within this code to ensure that all contact is conducted on a professional basis.

5. Respect for Others

- 5.1 A commitment by all employees to implement equalities in all aspects of their work is fundamental to effective service provision and effective working relationships. All members of the local community, customers and other employees have a right to be treated with fairness, respect and equity.
- 5.2 Employees are expected to carry out their duties in compliance with the Council's Equality and Diversity Policies and undertake Equality and Diversity training
- 5.3 The Council will not tolerate discriminatory behaviour, including harassment, which will be dealt with in accordance with the Council's Disciplinary procedure and Grievance procedure which includes Harassment, Discrimination and Bullying procedure.
- 5.4 Employees must treat colleagues with courtesy and respect. Employees must not abuse colleagues verbally or physically.
- 5.5 Communication between employees should at all times remain professional and show respect for others' feelings and opinions.

6, Stewardship

- 6.1 The Council has adopted a set of values that underpin how we operate within the Council to serve our community – these values are supported by our Strategic Aims and Objectives. The Council will support staff in understanding the part they play in delivering these objectives through management support and mechanisms such as our Personal Development Review scheme.

- 6.2 Employees must use public funds entrusted to or handled by them, in a responsible and lawful manner and not make personal use of property or facilities of the Council unless properly authorised to do so.
- 6.3 Employees should follow the Council's rules on the ownership of intellectual property or copyright created during their employment.
- 6.4 Employees should not make use of Council facilities, such as telephone, computers, etc. where this is related to outside work for another employer. Neither should they undertake any correspondence or incoming/outgoing phone calls relating to external work.
- 6.5 The Council's telephone, computer system, the Council's Crest, other equipment and materials (including headed paper) are the property of Rutland County Council and are provided for employee's business purposes and for interaction with the public in the delivery of services. Council property, plant, vehicles, money and services should only be used for the Council's purposes.
- 6.6 Some personal use of the Council's electronic communication facilities and devices including phone, internet and email is permitted outside of the working day, provided it is within the scope of the Council's Email and Internet Policy. The e-mail and internet system must not be abused. Usage of such systems will be monitored through normal management practice and route checks of the Council's IT systems.
- 6.7 Individuals' use of their own personal mobile phones should, as far as possible be contained to non-working time to avoid any disruption to an employee or colleague undertaking their role. In addition:
 - Employees should ensure that mobile phones and other communication devices are switched to silent during working hours.
 - The Council recognises that on occasions, employees may need to be contacted at work on urgent personal matters – in such circumstances an appropriate direct line phone number can be provided.
- 6.8 The Council's Financial Regulations and Anti Fraud and Corruption Policy must be adhered to at all times.
- 6.9 Employees should not use their position within the Council to see or receive preferential rates from organisations or Council contractors.
- 6.10 Employees must be aware that it is a serious criminal offence for them corruptly to 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.

7. Safeguarding

- 7.1 Employees should be aware that sensitive, confidential information should not be left on desks or in places where access is available to general staff/visitors.
- 7.2 Employees should not hold sensitive confidential information on memory sticks or desktops. Any such information may only be held on encrypted memory sticks and the main IT server.
- 7.3 Employees should be aware that not all staff/visitors will have DBS clearance and to exercise vigilance when asked for information of a confidential or sensitive nature.
- 7.4 Employees should consult with their line manager if they have a concern which relates to safeguarding children, young people and adults.
- 7.5 Employees should keep the minimum amount of personal information about children (dependant on job role) and ensure compliance with the principles of data protection in storing and using information.
- 7.6 Photographs of children may only be kept with the parent's consent.
- 7.7 Employees should report immediately any concerns they have about a child or adult, or any allegations made to them about a child or adult or by a child or adult.
- 7.8 All employees are required to attend safeguarding awareness training as part of the induction and probationary procedure.

8. Personal Interests

- 8.1 Employees must not, in their official or personal capacity, allow their personal interests to conflict with the Council's requirements, or use their position improperly to confer an advantage or disadvantage on any person. .
- 8.2 Activities of the Council's employees outside the working environment may be under public scrutiny and therefore the Code requires high standards of conduct.
- 8.3 Employees must be clear about their contractual obligations and should not take additional or 'outside' commitments (paid or unpaid), which may infringe on their contractual work commitments, without gaining permission from their Line Manager. In any event, the total work time involved must not breach the Working Time Regulations.
- 8.4 Some roles/positions will have specific conditions to ensure an appropriate boundary exists between their employment with the Council and any activities they may undertake in their personal time (including voluntary activities). Such conditions are outlined in relevant professional codes of practice and

standards, eg. Care Quality Commission. In such instances this must be disclosed and written consent obtained. Employees should refer to their Manager if they require further advice.

- 8.5 Employees should not carry out work, set up or accept employment with a business engaged in work which, in the view of the Council, conflicts with or is detrimental to the Council's interest or in any way weakens public confidence in the conduct of the Council's business. Employees should refer to the appropriate Director if they require further advice.
- 8.6 Employees should follow any guidance that may be issued by the Council on the acceptance of employment with a third party whilst still employed by the Council. In any event, the total work time involved must not breach the Working Time Regulations
- 8.7 Employees should not accept any fee or reward whatsoever other than proper remuneration in respect of any services given in relation to their work for the Council. Any such fee should be paid over to the Council.
- 8.8 Employees may, in a professional capacity whilst undertaking additional or outside work, publish books and articles, give lectures or speak on radio or television and may illustrate these by reference to the Council's activities or policies, but the Strategic Communications Adviser must be consulted before doing so. Employees must be clear that any views they express, are their own and not necessarily those of the Council.

9. Registration of Interests

- 9.1 Employees must comply with any requirements of the Council to register or declare interests and declare hospitality, benefits or gifts received as a consequence of their employment.
- 9.2 Employees must declare annually to the Head of Governance any financial and non-financial interests or commitments which may conflict with the Council's interests. This would include (but is not exclusive nor exhaustive):
 - Membership of an organisation receiving grant aid from the Council
 - Membership of an organisation or pressure group which may seek to influence the Council's policies
 - Membership of an organisation which may seek to influence the performance of an employee in carrying out their duties
 - Having a beneficial interest in land which is within the Council's area and is subject to any planning application.

Membership of, or activity on behalf of, a recognised trade union or professional society does not constitute such an interest. The Council encourages employees to take an active part in the life of the community. This Code of Conduct does not seek to discourage such involvement. If there is any doubt, advice should be sought from the Line Manager.

- 9.3 Employees should declare to their Director, membership of any organisation, lodge, chapter, society, trust or regular gathering or meeting which is not open to members of the public who are not members of that lodge, chapter, society or trust or requires secrecy about its rules, membership or conduct. The purpose of this provision is to prevent any conflicts of loyalty/interest arising.
- 9.4 Employees should advise the Head of Governance of their membership of any such organisation where in a specific instance, such membership constitutes (or can be perceived as) a conflict of interest.
- 9.5 Employees must advise the Director for Resources if they are declared bankrupt or are involved as a Director of a company which is wound up or put into voluntary liquidation if it may impact upon the employee's role and duties. Such information will be treated in the strictest confidence

10. Political Neutrality

- 10.1 Employees must serve the Council as a whole. They must serve all Elected members and not just those in the controlling group, and must ensure that the individual rights of all Members are respected.
- 10.2 Advice to Political groups must be given by, or with the consent of the relevant Director.
- 10.3 Employees whose posts are designated as politically restricted under the Local Government and Housing Act 1989 will be advised upon appointment and must adhere to those requirements.
- 10.4 Political Assistants appointed on full time contracts in accordance with the Local Government and Housing Act 1989 are exempt from the standards set in paragraphs 10.1 to 10.3
- 10.5 Employees must seek advice if they wish to stand for election as a Member for Rutland County Council or any other local authority as it could impact on their employment.
- 10.6 An employee, who is involved in politics in their own time, must not carry out any political activity which might lead the public to think they are acting in their capacity as a Council employee. It is particularly important, if a Member of another Council, to keep the two roles separate and not use confidential information obtained in one capacity in the other.

11. Reporting Procedures

- 11.1 The Council will not tolerate any form of malpractice. Employees have an important part to play in reporting any concerns and are expected to co-operate with investigations. The Council's Whistleblowing Policy demonstrates our commitment to support employees who are concerned about the conduct of the Council or individuals and to encourage them to make those concerns known.

- 11.2 The Council recognises that it is often difficult for employees to report legitimate concerns through fear of victimisation or reprisal. However, the Council can assure employees raising such concerns that they will be fully supported and there will be no adverse impact on their personal situation.
- 11.3 However, where it is shown that unfounded allegations have been made by an employee for malicious, frivolous or vexatious reasons, disciplinary action may be taken against them.
- 11.4 Complaints from a member of staff as a member of the community and user of Council services, not as an employee, should initially be raised with the provider department, and if this proves unsatisfactory, by then using the Council's Corporate Complaints Procedure.
- 11.5 Employees must also notify the appropriate department promptly if they have any reason to suspect that a member of the public is claiming Council administered benefits fraudulently, regardless of their circumstances as to how this information is obtained.

12. Relationships and Professional Boundaries

12.1 Elected Members

Mutual respect between employees and Members is essential to good local government. Close personal familiarity between employees and individual Members can damage the relationship and prove embarrassing to other employees and Members and should therefore be avoided.

12.2 Public

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

12.3 Media

In general, all communications with the media relating to the activities of the Council are managed through the Communications Office.

Employees are not permitted to communicate with the media on matters relating to the activities of the Council without prior authority from the Communications Office and from the appropriate Director. Employees who are contacted direct by journalists should refer them to the Communications Office.

If an expression of opinion or official statement of policy is needed, employees must speak to the Strategic Communications Adviser.

Employees who have ideas for positive stories about the Council's policies and activities should contact the Communications Office.

Every assistance should be given to Members who need information to deal with questions from the media. Employees should refer to the relevant Director for further advice.

12.4 Contractors/Consultants

All relationships of a business or private nature with internal or external contractors or consultants, or potential contractors or consultants, should be made known to the relevant Director and the Head of Governance as they may have the potential to seriously compromise a Council decision.

Orders and contracts must be awarded on merit, by fair competition against other tenders. No part of the local community should be discriminated against when considering contracts and tenders.

Employees who engage or supervise contracts 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 declare that relationship to their Director and the Head of Governance

Employees who are party to confidential information on tenders or costs for both external and internal contractors should not disclose that information to any unauthorised party or organisation.

12.5 Employees

Employees must declare any personal relationships with another employee of the Council where the relationship could cause a conflict of interest, eg. breach of the requirement for the separation of duties. In such instances there may be a need to consider alternative employment.

The Council defines a close personal relationship as one between employees who work together in the same team or department and who are:

Married

Civil Partners

Co-habiting

Dating

Immediate family members, and

Any other individuals regarded as having a familial or close personal relationship.

Employees should not be involved in a work relationship where their partner is their line manager or vice versa.

Employees who do have a close personal relationship must advise their Director of their circumstances. The Director will then decide whether to instigate a move of one or both employees. If a Director agrees that both employees can remain in the same team, the situation should be reviewed by line management on a regular basis to ensure the situation does not affect the day to day business of the Council.

12.6 Professional Boundaries

The Council has specific guidance that outlines expectations of staff in maintaining professional boundaries with service users

Close personal relationships with service users are prohibited. Service users may be from vulnerable groups in the community (eg. by age, disability, mental health etc) and the correct balance between friendly interest and the professional relationship must be maintained at all times to ensure that service users are not exploited. If a problem arises from a service user misinterpreting friendly interest as evidence of a deeper, more personal relationship developing, the employee must immediately report the matter to the appropriate line manager for advice on the way to proceed.

Service users include anyone who has or does receive a service from Rutland County Council. Examples of service users include but are not limited to children, young people, people with disabilities, people experiencing mental ill health and older people. The word carer is used to include anyone who has a caring role for another person. Examples of carers include, but are not limited to parents, sons, daughters, young people /children other family members, neighbours and friends.

Employees are required to comply with the 'Professional Boundaries Guidance and Procedures' and not enter into inappropriate relationships nor conduct the services of the Council in an inappropriate or unprofessional manner. Any breaches of the guidance may be considered misconduct under the Disciplinary procedure.

13. Treatment of Information

- 13.1 Employees must not disclose information given to them in confidence by anyone, or information acquired which they believe is of a confidential nature, without the consent of a person authorised to give it, or unless required by law to do so. Employees should not prevent another person from gaining access to information to which that person is entitled by law.
- 13.2 Employees must not misuse their position by requesting or gaining information unnecessary to carrying out their work nor to make personal gain or benefit.
- 13.3 We owe a legal duty of care to ensure that references are based on fact. The Council's policy on Giving and Receiving References must be followed and is held on the intranet. Where an agreement has been reached with an ex-employee regarding the issuing of an agreed reference, this should be referred to Human Resources.
- 13.4 Employees should be familiar with and conform to Data Protection, Freedom of Information and Health and Safety legislation. These regulate and provide a framework for processing information relating to individuals which includes holding, using or disclosing information. It covers manual filing systems and records as well as computerised systems, card indexes and microfiche. The

Council treats breaches of these policies seriously and in particular the impact on service users/the Council eg. safeguarding, reputational damage.

- 13.5 Data Protection applies to hard copy documentation and all system/data held information both within a Council office environment and when taken off site/remote working.

14. Appointment of staff

- 14.1 Employees must not be involved in the appointment or any other decision relating to the discipline, promotion, pay or conditions of another employee, or prospective employee, who is a relative or friend.

In this context, 'relative' means a spouse, partner, parent-in-law, son, daughter, step-son, step-daughter, child or a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons.

In this context, 'partner' means a member of a couple who live together.

- 14.2 Decisions to appoint are made on the basis of merit. It would be unlawful to make an appointment based on anything other than the ability of the candidate to undertake the duties of the post.

- 14.3 The Council has a detailed process for the appointment of staff that must be followed by all employees involved in the recruitment process.

- 14.4 Every candidate for an appointment shall, when making an application, disclose in writing to the Chief Executive whether to their knowledge he/she is related to any member of the Council or to a holder of any senior office within the Council. Deliberate omission to make such a disclosure will disqualify the candidate and if the omission is discovered after appointment, may lead to dismissal.

15. Gifts, Hospitality and Sponsorship

- 15.1 Our conduct as local government employees should never lead to a question regarding our interests nor lead anyone to think that we have been influenced by gifts and hospitality. An employee's own personal and professional reputation and that of the Council could be seriously affected if an employee inappropriately accepts a gift or hospitality.

- 15.2 The overarching principle is that employees working for the Council must adhere to the highest standards of public service.

- 15.3 Employees should avoid being in a position where they might be deemed by others to have been influenced in making a decision in respect of his/her employment as a consequence of accepting a gift or hospitality.

- 15.4 Whenever there is any doubt as to whether gifts or hospitality should be accepted, the offer should be declined or advice sought from their line manager or Director for advice. Employees and Managers should refer to the Guidance on Gifts, Hospitality and Sponsorship.
- 15.5 Employees must never accept monetary gifts of any kind, whether in the form of cash or cheques. Modest gifts of a promotional nature are generally acceptable (e.g.calendars, diaries or articles for office use).
- 15.6 It is an offence for employees to accept any gift or consideration as an inducement or reward for doing or forbearing to do anything in their official capacity or showing favour or disfavour to any person in their official capacity.
- 15.7 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the guidelines and framework regarding gifts and hospitality will also apply.
- 15.8 Where the authority wishes to sponsor an event or service, neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being a full disclosure to the Head of Governance. Similarly, where the authority through sponsorship grant aid, financial or other means gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

16. Alcohol and Drugs

- 16.1 All employees will be expected to attend work without being under the influence of alcohol or drugs or have their work performance adversely impacted by alcohol or drugs. Any associated inappropriate behaviour or conduct may be considered misconduct within the Disciplinary Policy.
- 16.2 Where involvement with illegal drugs, or excessive use of alcohol by an employee takes place outside of working hours, the Council will consider the impact this may have on their employment, including consideration of any implications for the Council's reputation or public confidence
- 16.3 Employees and Managers should refer to the Guidance on Alcohol and Drugs.

17. Health and Safety

- 17.1 In the interests of the public and colleagues, employees must adhere to the Council's Health and Safety policies. These are available on the Intranet/Shared Drive.
- 17.2 Employees must not act either wilfully or unintentionally in a manner liable to place the public, their colleagues or themselves at risk and must adhere to the duty of care prescribed in the Council's Health and Safety policies.

17.3 The Council as employer, and their employees are subject to duties under the Health and Safety at Work Act 1974.

17.4 The Council is committed to ensuring the safety of our driving and riding workforce and that of other road users in our community. The Driving and Riding for Work Procedure ensures that all Council employees and representatives are aware of the requirements and expectations that relate to them, and to the Council as an organisation – in order to ensure a safe workforce.

18. Standards of Dress and Appearance

18.1 Employees must ensure that their standard of dress, the type and style of clothes and personal ornamentation worn, are appropriate to the nature of the duties and responsibilities undertaken. Inappropriate dress can create the view that the Council is inefficient, create offence or be interpreted as disrespectful by the public. Employees should seek further advice from their Manager if they require clarity regarding appropriate or inappropriate dress.

18.2 The Council will be respectful of ethnic and religious dress requirements.

18.3 Employees will be expected to conform to requirements for clothing which may apply for health and safety reasons or where a specific uniform is required and issued to them.

18.4 ID/Name badges, where provided, will be worn at all times unless agreed with their line manager for specific situations when it is appropriate that it is not worn. Employees should also show their current ID pass as appropriate, eg. when carrying out a home visit.

**A large print version of this document is
available on request**



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