



# Code of Conduct

## **1. Introduction for Employees**

2. The public is entitled to expect the highest standards of conduct from all employees who work for Corby Borough Council (the Council). This Code sets out the standards expected from employees. It should be read, where appropriate, in conjunction with the Council's employment policies, other relevant policies, procedures, protocols, conditions of service, standing orders, financial regulations and statutory requirements.
3. An employee should never do anything as an employee of the Council which you could not justify publicly. An employee's conduct may effect the reputation of the Council. An employee should at all times avoid any occasion for suspicion and any appearance of improper conduct.
4. Please read the Code carefully. It is an employee's responsibility to ensure they comply with the standards set down. Advice on the Code may be sought from an employee's line manager, the Human Resources Section, the Council's Monitoring Officer or Deputy Monitoring Officer.
5. This Code applies to all employees of the Council (whether full-time, part-time or casual), any agency or temporary staff employed by the Council (whilst employed on Council business) and any contractors working on behalf of the Council (whilst employed on Council business).

## **6. General Duties and Responsibilities**

7. The duty of an employee is to serve the Council by carrying out the Council's work under the direction, control and guidance of their respective line manager. An employee should work to the best of their ability. Where advice is requested of an employee this should be objective and the best professional advice they can give.
8. The reputation of the Council depends in large part on the conduct of its employees and what the public believes about their conduct. The public expects conduct of the highest standard. Confidence in this integrity will be shaken if there is the least suspicion that employees could have been influenced in any way by any improper motive.
9. Employees are expected, through agreed procedures, and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of services to the public together with any impropriety or breach of procedure. In appropriate situations the Council's Whistleblowing Procedure could be used.
10. Employees are expected to give the highest possible standard of service to the public and, where it is part of their duties, to provide appropriate advice to fellow employees and Councillors with impartiality.

## **11. Disclosure of Information**

12. The law requires certain types of information to be available to councillors, other employees, external organisations and the public. These are outlined in the Council's Publication Scheme, which has been produced in accordance with the Freedom of Information Act. A copy of the Scheme is published on the Council's website or is available from the Freedom of Information Officer.

13. Employees are expected to be open, informative and truthful in dealing with colleagues, councillors and the public and to provide the information to which each is entitled in accordance with the Freedom of Information Act. If an employee is unsure whether information may be made available they should consult their respective line manager or seek advice from the Freedom of Information Officer.
14. There is a balance between freedom of information and confidentiality for personal or commercial reasons that must be considered at all times by employees.
15. Any information obtained in the course of an employees employment, which is not legally already within the public domain, should not be used for an employee's personal gain or benefit and should not be disclosed to any one else who could use it for their gain or benefit.
16. Employees should not divulge personal information about a fellow employee or councillor without permission unless disclosure is required by law.
17. Only employees authorised to do so may talk to the press/media or otherwise make personal statements on behalf of the Council. All press/media enquiries should be directed to the Council's Communications Office in the first instance or the Chief Executive's Office or the relevant Head of Service.

#### **18. Political Neutrality**

19. Employees serve the Council as a whole, so they must serve all councillors and not just those of the controlling political group. Employees must ensure that the individual rights of all councillors are respected and that employees do not compromise their political neutrality.
20. Some employees may be in posts defined as "politically restricted" (see Appendix 2). There are additional rules and responsibilities attached to employees in these posts.
21. Employees, whether or not politically restricted, must follow every lawful policy of the Council and must not allow their own personal or political opinions to interfere with their work.
22. Nothing in this Code prohibits an employee from being a member of a political party; however, employees need to be aware that they should not allow such membership to effect their responsibilities under the Code in carrying out their employment.
23. Employees who are in politically restricted posts may be a member of a political party but this will need to be the subject of a declaration to the Council and the additional rules (Appendix 2) apply.
24. All employees are entitled to be a member of a recognised trade union.
25. During the period preceding an election (commonly referred to as "Election Purdah") specific rules will be put into force to further protect the impartiality of the Council. Employees will be reminded of these rules (see Appendix 3) at the appropriate time.

## **26. Relationships**

27. Mutual respect between councillors and employees is essential to good local government. However, close personal familiarity between an employee and any individual councillor could damage this relationship and prove embarrassing to other councillors and employees. Both employees and councillors should adhere to the agreed Officer/Member Protocol.
28. Employees must always remember their responsibilities to the local community and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the Council's policies and procedures.
29. An employee must also be careful that any relationship that they have with any other person cannot bring the Council into disrepute. In particular, an employee should avoid contact with family members or close associates when undertaking a regulatory, assessment or quasi-judicial function. An employee needs to ensure that they avoid placing themselves and/or the Council in a position where their/its impartiality could be open to question. Any potential conflict of interest should be brought to the attention of the employee's line manager.
30. Orders and contracts must be awarded on merit and in accordance with the Council's agreed procedures. No special favours should be shown to businesses run by or employing family, partners or close associates. Any potential conflict of interest should be brought to the attention of the employee's line manager.
31. An employee who places orders, awards contracts or supervises contractors and has previously had or currently has a relationship in a private or domestic capacity with contractors they deal with in the course of their Council duties should declare that relationship with their line manager.
32. An employee in their official relationship with contractors and potential contractors must not conduct themselves in such a manner so as to convey that they are in a position of giving favour or in their conduct seek a gift, loan, or reward in order to convey an advantage to a contractor or potential contractor.
33. In general, an employee is obliged to declare their interest in a relationship when it becomes apparent that said relationship may bring them into conflict with their responsibilities to the Council or may give the impression to others of a potential conflict.

## **34. Personal Interests**

35. All employees must declare to the relevant Council officer (see table below) any financial or non-financial interests that an employee considers may conflict with the Council's interest, or could cause an employee's conduct to be questioned. Such interests must also be registered with the Human Resources Section.

<b>Reporting hierarchy for financial and non-financial interests</b>	
<b>Officer:</b>	<b>Reports to:</b>
Chief Executive	Monitoring Officer
Director of Operational Services	Chief Executive
Director of Corporate Services	Chief Executive
Assistant Chief Executive	Chief Executive
Head of Service	Chief Executive or appropriate Director
Monitoring Officer	Human Resources Section
All other employees	Head of Service

36. An employee must declare to their Head of Service/line manager membership of any organisation not open to the public without formal membership and commitment of allegiance, and which has secrecy about rules, membership or conduct. If an employee is a member of an organisation of this type they must register this with the Human Resources Section.
37. The Council's Monitoring Officer will have access to any declarations of interest made by the Council's employees, under the supervision of the Council's Human Resources Section.
38. When attending meetings of the Council or its committees an employee should declare any personal financial interest in any item under discussion and withdraw from the meeting whilst that matter is under consideration.

### **39. Appointment and other Employment Matters**

40. Employees involved in appointments have a statutory duty to ensure that these are made on the basis of merit.
41. It is unlawful for an employee to make an appointment which is based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusations of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work. Any relationship which would disqualify participation should be declared to their line manager.
42. All appointments will be made fairly and without consideration of any matters relating to race, colour, nationality, ethnic or national origin, disability, religion, political persuasion, marital status, sex, sexual orientation or age.
43. References in support of job applicants must not be from relatives of the applicant or from anyone related to any employee participating in the appointment decision.
44. An employee should not be involved in decisions relating to discipline, promotion, grievances or pay adjustments for any other employee who is a relative, partner etc or with whom they have a close personal relationship outside work.

#### **45. Outside Commitments**

46. Employees off duty hours are their personal concern, but they should not conflict with their official duties at any time.
47. The Council will not attempt to preclude any of its employees from undertaking additional employment but such employment must not in the Council's view conflict or react detrimentally to the authority's interest or in any way weaken the public's confidence in the conduct of the authority's business.
48. Employees above Pay Scale SO1 or equivalent must not engage in any other business, or take up any additional appointment (whether paid or voluntary) without first receiving the express consent of their Head of Service and informing Human Resources.
49. Employees should ensure that the hours worked in the additional employment do not make them too tired to work effectively and safely when working for the Council. Legally the Council has a responsibility to ensure that none of its employees are working more than an average 48 hours per week. If an employee takes up other employment in addition to their Council job this may take the employee above the legal limit. Employees are required to inform the Council if they take regular employment which could result in their total average weekly working hours in both jobs coming to 48 hours or more. Employees should advise their line manager and Human Resources.

#### **50. Intellectual Property**

51. An intellectual property right (that is copyright, design rights and the right to patent inventions) relating to anything created or invented by employees in the course of their duties belongs automatically to the Council. Employees are not entitled to use, sell or otherwise exploit the rights to any such thing without written permission of the Council (Head of Service or above).

#### **52. Equalities & Human Rights**

53. All employees must comply with and promote the Council's equality policies, other related corporate policies and the Single Equality Act 2010. All employees and the public have a right to be treated with fairness and dignity.
54. In the performance of their duties employees are required to comply with the requirements of the Human Rights Act 1998.
55. All employees must in the exercise of their functions, have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited.
56. All employees must have due regard for the need to advance equality of opportunity between all groups of people and foster good relations.

## **57. Separation of roles during Tendering**

58. If an employee is involved in the tendering of Council services or contracts or dealing with appointed contractors or external service providers an employee should be clear about the need for full transparency and accountability with regard to their actions.
59. Employees must be aware of the need for confidentiality throughout the tendering process and not disclose to or withhold from potential tenderers information in relation to the process that they are entitled.
60. Confidential information must not be disclosed to any unauthorised person at any time.
61. An employee must not treat current or former employees or their partners, close relatives or close associates more or less favourably than other people when considering the award of contracts to businesses run by them or employing them. Any potential conflict of interest in relation to the tendering process needs to be brought to the attention of the employee's line manager as soon as practicable.

## **62. Corruption**

63. It is a serious criminal offence to corruptly receive or give any gift, loan, fee, reward or advantage. If an allegation is made an employee may have to demonstrate that any such rewards had not been corruptly obtained
64. If an employee discovers evidence of corrupt practises then it is their duty to bring this to the attention of the relevant senior officer or their line manager or if they feel appropriate through the approved "whistle blowing" procedure (see Appendix 1).

## **65. Use of Resources**

66. The Council's property and resources are to be solely used for approved purposes.
67. Any facility, vehicle, equipment, stationery or other property of the Council should not be used or utilised for non-Council business unless clear authority has been provided by the relevant Head of Service.

## **68. Hospitality and Gifts**

69. Introduction
70. Employees must act, and be seen to act, with the highest standards of integrity. In the course of an employee's work they may encounter situations, which, if not handled properly, could call your integrity into question. Examples of such situations include being offered tokens of appreciation or opportunities to meet socially with contractors or suppliers to the Council.
71. the over-riding principle is that an employee, their family, their friends or any organisation of which an employee is a member or with which they are closely associated should not accept any gift, consideration or hospitality that would

call into question: an employee's honesty, an employee's ability to deal impartially and equitably with all service users, potential or actual contractors or suppliers, or an employee's commitment and ability to pursue the best interests of the Council.

- 72. An employee needs to ensure that they feel confident in defending their actions or inaction in the spirit of fairness, openness and accountability.
- 73. If an employee requires guidance in relation to Hospitality or Gifts they should consult their line manager, Head of Service, the Monitoring Officer or Deputy Monitoring Officer.

#### **74. Gifts**

- 75. An employee must not solicit gifts, additional payments or any form of personal advantage from any service user, potential or actual contractor or supplier.
- 76. An employee may accept gifts of token value such as pens, diaries etc from potential or actual contractors or suppliers. Such gifts may be kept for an employee's personal or business use. An employee should, however, be aware of the adverse impression that may be created for competitors seeking to do business with the Council.
- 77. An employee may accept gifts with nominal value from visitors to the Council when the gifts are proffered as tokens of friendship between Corby Borough and the visitor's organisation.
- 78. If an employee receives a gift of more than token or nominal value and it would cause offence or be impracticable to return it, an employee should register the gift and inform their Head of Service. Such gifts will normally be donated to a charity or may, if suitable, be kept for use on Council premises.
- 79. If an employee is offered a gift and they believe or suspect that the offer is made with the intention of influencing an employee to give favourable treatment to a service user, potential or actual contractor or supplier, an employee must inform their line manager, Head of Service, the Monitoring Officer or Deputy Monitoring Officer.

#### **80. Hospitality**

- 81. An employee must not solicit hospitality (for example meals, tickets to sporting or cultural events) from any service user, potential or actual contractor or supplier.
- 82. An employee must not accept offers of hospitality unless they have the permission of their line manager or Head of Service. Hospitality, which an employee has had permission to accept, must be declared on the Register of Gifts and Hospitality. This Register is maintained by the Democratic Services Section. Permission will not normally be granted for hospitality that requires overnight accommodation at the host's expense.
- 83. An employee should not allow a potential or actual contractor or supplier to pay for an employee to visit their sites or premises to inspect their goods or services. If such visits are necessary, the Council will meet the costs

involved. When visiting potential or actual contractors or suppliers an employee may accept refreshments appropriate to a work situation.

84. An employee does not need prior permission to accept a meal which is offered in work-related circumstances and which would enable an employee's work to be expedited, provided that the costs are reasonable in the circumstances.
85. An employee does not need prior permission to accept modest hospitality offered at conferences and courses provided that the hospitality is offered to numbers of people in similar roles (i.e. is corporate) rather than personal.
86. If an employee is offered hospitality and they believe or suspect that the offer is made with the intention of influencing an employee to give favourable treatment to a service user, potential or actual contractor or supplier, an employee must inform their line manager, Head of Service, the Monitoring Officer or Deputy Monitoring Officer.

#### **87. Registers of Disclosures and Interests and Gifts and Hospitality**

88. The Council's Register of Disclosures and Interests will be maintained by the Democratic Services Section. All employees are required to complete the appropriate form, sign and date the form, obtain the counter signature of their Head of Service and send the form to Democratic Services.
89. Gifts and Hospitality should be registered via an employee's respective Head of Service. The Head of Service should register any Gifts and Hospitality received or refused by them or their staff on the appropriate form supplied by Democratic Services. Completed forms, including "NIL" returns, should be sent to Democratic Services. These forms will be available for public inspection.

#### **90. Sponsorship – Giving and Receiving**

91. Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of Gifts and Hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
92. When the Council sponsors an event or service neither an employee, their partner, any relative or personal friend must benefit from the sponsorship in a direct way without there being full disclosure to the employee's Head of Service. An employee must register any such interest with Democratic Services.
93. Where the Council through sponsorship, grant aid, financial or other means is giving support in the community, and an employee is giving advice ensure that it is impartial and that there is no conflict of interest involved.

#### **94. Public Speaking**

95. As detailed above (under Disclosure of Information) only authorised employees may speak or issue statements to the press/media on behalf of the Council. All press/media enquiries should be directed to the Council's

Communications Office in the first instance or the Chief Executive's Office or the relevant Head of Service.

96. If an employee is invited to address a public meeting or gathering on behalf of the Council they should firstly ensure that this is brought to the attention of their line manager. The employee should ensure that they only communicate within the agreed policies and procedures of the Council, in an objective manner and avoid any personal bias or opinion.
97. These rules do not apply to Council employees acting as a local officer of a recognised trade union; however these employees need to ensure that it is clear that they are not communicating on behalf of Corby Borough Council.

#### **98. Health and Safety**

99. An employee has a duty to take reasonable care for the health and safety of themselves, their colleagues, members of the public and others who may be affected by anything done at work. No job should be undertaken that in any way may endanger employees, members of the public or others.
100. The Council's Health & Safety guidelines and procedures should be adhered to at all times. Where necessary advice may be provided by the Council's duly appointed Health & Safety Officer(s).
101. If an employee is made aware of a health & safety issue which requires address this should be dealt with by the employee, if appropriately trained or able to do so, or reported to their line manager or other senior officer.

#### **102. Employee facing Criminal Charges**

103. The Council expects employees facing criminal charges to give notice of such, without delay, to the Human Resources Section and their respective Head of Service whether they personally feel the matter is relevant or not, together with the outcome of any such charge.
104. The nature of the charge may be relevant to the employee's job; in other cases the issue may be less clear-cut. The Council reserve the right if necessary to take appropriate steps, until the charge is determined, to make reasonable adjustments to the employee's working practises or procedures.
105. Discussion with the employee will take place as to the extent to which any charge reflects upon the ability of the employee to perform effectively or the extent to which the Council's own interests may be prejudiced. An opportunity will be given to have a colleague or trade union representative present during any discussions.
106. All information obtained shall be treated as confidential by the Council.

#### **107. Review**

108. This Code will be reviewed at least every 3 years or on the introduction of any legislative changes or the issue of Government guidance.
109. Representatives of recognised trade unions will be consulted prior to any revised Code being formally issued by the Council.

**110. Disciplinary Rules**

111. This Code forms part of the Council's Disciplinary Rules. The rules applied are those of normal good conduct. The rules are expressed in the Council's Disciplinary Procedure, which has the aims of establishing and maintaining a fair and equitable standard of discipline throughout the Council and encouraging improvements in conduct.

**112. Questions regarding this Code**

113. If an employee requires advice or guidance regarding this Code or its application they should consult their line manager, the Human Resources Section, the Council's Monitoring Officer or Deputy Monitoring Officer.