

Code of Conduct for Employees HR Services

Malvern Hills and Wychavon District Council

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Section A – Policy Overview

1. Introduction

- 1.1 The public is entitled to expect the highest standards of conduct from all employees who work for Malvern Hills District Council and Wychavon District Council in order to uphold the strong reputation of the Council and its services.
- 1.2 This Code describes the standards of conduct required from all employees and anyone seconded or engaged from other organisations to work for the Council.
- 1.3 Please take time to read this Code and ensure your conduct meets these requirements. If you are at all uncertain about what is expected, seek further clarification from your Service Manager.
- 1.4 Contravening or failing to act within the guidelines set down by this Code and within the Council's policies, or at any time behaving in a manner which could bring the Council in to disrepute, may result in action being taken against employees under the Disciplinary Policy and Procedure.

2. Supporting policies

- 2.1 This Code is supported by a number of more detailed policies and further guidance with which you should make yourself aware and follow accordingly. In particular (but not exclusively), the following:
 - Disciplinary Policy and Procedure
 - Declarations of Interest by Officers – Guidance notes and Procedure
 - Protocol for Members & Officers on Planning Matters
 - Anti-Fraud and Corruption Strategy – Policy Statement
 - Whistleblowing Policy
 - Health and safety policies
 - Equal Opportunities Policy
 - Smoking Policy and Procedure
 - IT and information security policy
 - Any rules, regulations, professional standards, codes of practice, financial regulations and accounting instructions, etc. relevant to your job

3. Roles and Responsibilities

3.1 All Employees

All employees must read, understand and work in accordance with the latest Code of Conduct and:

- Maintain the highest standards of professional competence, knowledge, integrity, confidentiality, financial propriety and personal conduct
- Be fair and honest in all activities at work
- Remain impartial and maintain the highest standards of integrity
- Incorporate and promote equality and diversity in all that that you do

3.2 Managers – in addition to the above

All Managers are responsible for the application of this Code in their work area. They must ensure the Code is adhered to and will:

- Role model the required standards of behaviour
- Reinforce the required standards of behaviour through appropriate communications with their teams
- Explain the provisions of the Code to promote understanding
- Coach, support and provide feedback to employees on their performance in relation to the required standards of conduct
- Take appropriate action at the earliest opportunity to deal with non compliance with the standards of the Code

3.3 Throughout this Code the following positions/titles are referred to:

- Chief Executive/Managing Director
- Deputy Chief Executive/Deputy Managing Director
- Senior Manager (meaning the relevant member of SMT for the employee's service area)
- Service Manager
- Section 151 Officer (Deputy Chief Executive/Deputy Managing Director)
- Monitoring Officer

4. Guiding principles

- 4.1 All employees of the Council are expected to give the highest possible standard of service to the public and provide appropriate advice to the public, Councillors and fellow employees with impartiality.
- 4.2 Employees will be expected to bring to the attention of the appropriate level of management any deficiency in the provision of service. You must report to the appropriate manager any impropriety or breach of procedure.
- 4.3 To the public employees represent the Council. You must adhere to council policies and procedures and be familiar with the performance standards for customer care and the procedures for handling complaints.
- 4.4 It is not acceptable for employees to criticise or blame colleagues, council departments or our Councillors publicly through any medium including social media. Offensive, defamatory, discriminatory or otherwise inappropriate comments will not be tolerated and may constitute a disciplinary and/or criminal offence.

5. Health and Safety

- 5.1 Unsafe working can endanger you, your colleagues and members of the public. You must familiarise yourself with and follow the Council's Health and Safety Policy and guidelines, rules, codes and safe practices for your particular area of work.

6. Standards of appearance

- 6.1 Employees are expected to present a suitable business-like appearance and dress

appropriately to the circumstances within their working environment, the nature of work they are undertaking and the levels and types of both internal and external contacts encountered in the normal course of their duties. Where protective clothing is issued it must be worn as required when at work or representing the Council. When wearing items which identify you as an employee of the Council you must maintain appropriate standards of conduct whether or not on duty e.g. when travelling to and from work.

7. Expressing concern about irregularities and tackling malpractice

- 7.1 If you feel there is something seriously wrong at work please tell an appropriate person. It might be the conduct of another employee, the way a contractor is behaving, a work practice, something that might affect the environment, misuse of plant, machinery or a building.
- 7.2 For further information please see the Council's Whistleblowing Policy.

8. Anti-fraud and corruption

- 8.1 Fraud and corruption are serious issues which can affect the services the Council provides to the community and the public's perception of the integrity of Council Officers and Members. If you suspect fraudulent activity inform the Section 151 Officer and/or Internal Audit who will investigate any concerns raised in the strictest confidence.
- 8.2 For further information please see the Council's Anti-Fraud and Corruption Policy.

9. Confidentiality

- 9.1 You may acquire information at work which has not been made public or is confidential. You must ensure that sensitive and/or confidential information is properly secured and safeguarded at all times.
- 9.2 Confidential information which comes into your possession must not be used for personal benefit or divulged to other parties except in the proper course of duty.
- 9.3 You must decline any approaches or offers made asking for information which could be detrimental to, or help others to gain a contract, grant or any other advantage from the Council and/or its employees. Approaches or offers of this kind must be declared to the Section 151 Officer without delay.
- 9.4 Upon termination of employment, employees are required to return any documents or files (electronically readable or otherwise) in their possession and may not copy, take or retain any documents containing confidential information.

10. Information Technology and Data Protection

- 10.1 You must familiarise yourself with all IT Security documents particularly Information Security, Internet and e-mail Policy, Network and Workstation Security and Virus Protection Policy. You must also comply with any general management, usage and security guidelines for IT within your section.

11. Copyright

- 11.1 You should be aware that "intellectual property" such as software, ideas, documents etc. created during your employment, belong to the Council. All files, materials, the media upon which they are located and all software programmes or packages which are utilised or developed solely for or in connection with your job remain Council property.

Section B – Conflicts of Interest

12. Personal interests

- 12.1 The interests of the Council and the way you do your job must not be influenced by or conflict with your personal interests or those of relatives, friends or membership of external organisations or societies. There should be no grounds for suspicion that you are using your position with knowledge of the Council for personal gain or that you could be influenced by improper motives.
- 12.2 Employees must formally declare any financial or non-financial interests where it may be perceived that they could give rise to a conflict with the Council's interests (see further guidance and Declaration of Interests form at the end of this document).

13. Secondary employment

- 13.1 Employees 'off duty' hours are their own personal concern, but you should not put yourself in a position where your work and private interests conflict. The Council will not unreasonably attempt to prevent Officers from undertaking additional employment.
- 13.2 You must advise your Service Manager or Senior Manager before engaging in any other paid or voluntary work especially if it could reasonably be seen to conflict with your employment with the Council or lead to misunderstanding or criticism. All employees intending to undertake additional employment are required to consult their Service Manager and complete a Declaration of Interest form which will be kept on the employee's personal file.
- 13.3 Your average working time should not exceed an average of 48 hours per week, taking account of secondary employment. You may be required to disclose your total working hours, to enable the Council to monitor your hours worked in order to comply with the Working Time Regulations (for further information visit HSE.gov.uk).

14. Gifts and hospitality

- 14.1 Employees should only accept offers of hospitality if there is a genuine need to represent the Council in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community and where the authority should be seen to be represented. They should be properly authorised and recorded.
- 14.2 Minor gifts and hospitality may be offered, especially at Christmas or as a token of appreciation, and in an office situation simple items such as diaries and calendars are often distributed as advertising matter. As a guideline, any gift or hospitality with a value of £25.00 or more is highly unlikely to be viewed as a 'token'. With the exception

of these "tokens", all gifts, vouchers, fees, special discounts, rewards or preferential treatment must be refused.

- 14.3 Employees must consider whether it is appropriate to accept even token gifts e.g. when you are dealing with regulatory or procurement matters it would usually be inappropriate to receive any gift from involved parties. In case of doubt, consult your line manager.
- 14.4 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal. Where possible the Chief Executive/Managing Director (or relevant Deputy) should give consent in advance and be satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment etc. are required, employees should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.
- 14.5 Employees must not accept any personal commission, discount, allowance, direct or indirect profit, inducement, payment, perk or benefit in connection with any professional work undertaken, other than any fee recoverable on behalf of the Council.
- 14.6 Any offer of gifts and/or hospitality must be notified by completion of a Declaration of Interest form or alternative formal register approved by SMT.

15. Sponsorship – giving and receiving

- 15.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a council activity, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
- 15.2 Where the Council wishes to sponsor an event or service, neither an employee, nor any partner, spouse nor relative should benefit from such sponsorship in a direct way. If in doubt, employees must discuss with their Senior Manager and complete a Declaration of Interest form. Similarly, where the Council through the 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. Procurement of goods and services

- 16.1 Procurement procedures must be strictly adhered to and you must not accept any inducement or preferential treatment if you are responsible for procuring goods or services for the Council or disposing of surplus property.

17. Political neutrality

- 17.1 You serve the Council as a whole and must serve all elected Members – not just those of the controlling group – and must ensure the individual rights of all Councillors are respected.
- 17.2 Your post may be or become 'politically restricted' if it is considered politically sensitive in accordance with statutory provisions e.g. officers who regularly advise any committee or speak publicly on behalf of the Council, for instance to the media. If your job is politically restricted your political activities (e.g. canvassing on behalf of a political party or on behalf of a candidate for election, or speaking to the public at

large with the apparent intention of affecting support for a political party) normally will be restricted unless it can be shown that such restriction would be unreasonable.

- 17.3 Employees, whether or not politically restricted, must follow every lawful expressed policy and instructions of the Council and must not allow their own personal or political opinions to interfere with their work.

Section C – Relationships

18. Councillors

- 18.1 Some employees are required to give advice to Councillors in the course of their duties. Mutual respect between employees and Councillors is essential to good local government. Close personal familiarity between employees and individual Councillors can damage the relationship and prove embarrassing to other employees and Councillors and should therefore be avoided.

19. The local community and service users

- 19.1 If you work in close proximity with service users or other employees to whom you are related or have a close personal connection you must maintain a strictly professional relationship at work. You should also be aware that if any relationship leads to disruption in the workplace, unacceptable conduct or performance or situations involving undue favouritism or detriment, action may be taken under the appropriate procedure, which could include disciplinary action.

20. Contractors

- 20.1 All relationships of a business or private nature with external contractors, or potential contractors, should be made known to your Service Manager and formally recorded. Orders and contracts must be awarded on merit, by fair competition against other tenders and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process.

21. Appointments and other employment decisions

- 21.1 In order to avoid any possible accusation of bias you should not be directly involved in the appointment, promotion, discipline or other employment decision relating to another employee to whom you are related or with whom you have a close personal relationship. If a situation arises in which you feel you may be in such a position, please seek the advice of the HR Manager.

22. Dealing with the media

- 22.1 In general, all communications with the media relating to the activities of the Council are handled through the Communications Team.
- 22.2 The Chief Executive/Managing Director and Senior Managers may respond directly to media requests relating to matters under their control.
- 22.3 No other employee should initiate contact with the media or respond to media enquiries without consulting the Communications Team and receiving the approval of

their Senior Manager to do so.

Section D – Use of Council Resources and Equipment

23. Council equipment and materials

23.1 Facilities, equipment, vehicles, materials and other resources provided by the Council for use in your work must not be used for any other purpose without permission or appropriate payment e.g. photocopying, private telephone calls.

24. Use of financial resources

24.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner, following regulations and council policy on procurement as applicable. They should strive to ensure value for money to the local community and to avoid legal challenge to the Council.

25. Overseas travel on official business

25.1 Any proposal to travel overseas on official business must be approved by the Chief Executive/Managing Director before the travel takes place.

Section E – Criminal Charges, Cautions and Convictions

26. Criminal charges, cautions and convictions

26.1 You must advise your Service Manager immediately if you are charged with or cautioned or convicted of any criminal offence whilst you are an employee of the Council. While such proceedings will not necessarily affect your employment, the Council needs to be sure there are no implications for its clients, reputation, service delivery or in relation to the role you undertake.

26.2 You must also advise your Service Manager immediately if you have been arrested or appeared in court and released on bail in circumstances where bail conditions have been applied which could have consequences for your work. If you are in any doubt about whether you should report bail conditions, especially where safeguarding could be an issue, you must discuss it with your line manager or HR Services Manager so that any concerns can be addressed from the outset. Failure to report such conditions would be considered as serious misconduct and could potentially lead to a breach of bail.

CODE OF CONDUCT – OFFICERS’ DECLARATION OF INTEREST

FULL NAME:

POST TITLE:

While working for the Council you are expected to comply with the Council’s Code of Conduct part of which requires you to declare any interests that you may have that might conflict with the interests of the Council (see in particular Section B “Conflicts of Interest”). The Code of Conduct can be viewed in full on the intranet. The Code requires you to declare to your Service Manager any interests you have that could bring about or be perceived to bring about a conflict with the Council’s interest. Below are some examples of the types of things that you should declare:

I wish to declare the following interests that conflict or may be perceived to conflict with my duties as an officer of Malvern Hills District Council and/or Wychavon District Council (including duties for either Council in the case of joint services) and agree not to take part in any Council decisions or recommendations affected by this interest.

If you have no such interests, please state “nil”.

NATURE OF INTEREST	DETAILS
If you have a job with another employer or undertake any work on a self-employed basis.	
If you have a voluntary role in another organisation that has dealings with the Council.	
Any application to the Council made by yourself or your partner, family, close friends or business associates, e.g. for planning permission, building regulation approval, any form of licence, registration or grant, or housing support, AND that application is still to be determined,	
If you or (so far as you are aware) your partner, family, close friends or business associates object to, actively support or are affected by one of the applications mentioned above or have made a complaint to the Council which Council officers are currently investigating.	

If you have a legal interest (including ownership or tenancy) in any land or property in Wychavon or Malvern Hills districts that you know is subject to an issue with the Council.	
If you have, or you are aware that relatives or friends have, interests or shareholdings in companies that have dealings with the Council or have submitted a tender to the Council.	
If, as part of your duties as an officer, you are required to carry out an inspection of a property owned or occupied by family, friends or business associates.	
If you are a member of any organisation or association where such membership may present an actual or perceived conflict of interest with the business of the Council.	
Any other matter which conflicts, may conflict, or may be perceived to conflict with the interests of the Council	

NOTES

If, in connection with your position as an officer of the Council, you have received or purchased any items or been offered any gifts and/or hospitality, or have directly benefitted from any event sponsored by the Council, these must also be reported to your line manager. Please see further guidance regarding gifts and hospitality in the Code of Conduct.

If you have any questions about the completion of this form, please speak to your line manager or Service Manager.

Signed.....

Dated.....

This form must be submitted to your Service Manager. It will be retained in HR until superseded by any updated form