

Appendix 15 – Employee Code of Conduct

PURPOSE

1. The purpose of having a Code of Conduct is to:

- make a clear statement about the standards of conduct expected of employees of City of York Council;
- ensure the highest standards of conduct by identifying corporate standards which sit alongside professional codes and guidelines;
- help all employees to act in a way which upholds the Council's standards and at the same time, protect them from criticism, misunderstanding or complaint; and
- help build trust between the Council and the people who come into contact with those working for it.

SCOPE

2. This Code of Conduct applies to:

- All employees of the Council except teachers and those employed in schools under the control of Governing Bodies.
- Individuals providing services for the Council e.g. contractors, agencies, self- employed, agency workers and those working for the Council / shared services with the Council.

3. A Breach and / or acting in contravention of this Code, may result in disciplinary action being taken. A copy of this Code of Conduct can be found on the intranet or from your manager. All employees will be obliged to undertake and pass the MyLo [online learning] module in respect of the Code of Conduct.

STANDARDS AND ATTITUDE

4. All employees of the Council are expected to deliver services to the best of their abilities to the public, Councillors and fellow employees and, where it is part of their duties, to provide appropriate advice to Councillors and fellow employees with impartiality.
5. Employees should abide by the agreed Values of the Council as well as the expected behaviours as defined in the Behavioural Standards Framework document available on the intranet
6. Your attitude in dealing with people reflects on the Council so it is important that you are helpful, polite and courteous. Our residents and customer's impression of the Council is strongly influenced by the views of the people who work for it. Whether or not you are aware of it, the comments you make will be accepted by others. You therefore, need to consider carefully the effect of what you say.
7. All employees are expected to report to their manager or appropriate senior officer any belief they have that this code or other Council policies and procedures are breached.
8. In all cases, public perceptions are very important and employees should at all times avoid any appearance of improper conduct which may give rise to suspicion.
9. There are a number of principles that exemplify the standards that are required. They are set out below. A number of these aspects are dealt with in more detail within this Code.

THE PRINCIPLES

10. The Code of Conduct embraces the seven principles of public life which were drawn up by the Nolan Committee and are endorsed by Parliament.
11. The key principles are:
 - a) Integrity
We must not place ourselves under any financial or other obligation to any individual or organisation that might reasonably be thought

to influence us in the performance of our duties.

b) Leadership

We have a duty to promote and support the leadership of the Council in order to maintain and strengthen the public's trust and confidence in the integrity of the Council. By doing so we promote public duty to others in the Council and outside, by our own ethical behaviour.

c) Selflessness

We have a duty to make decisions in the public interest and not act in order to gain financial or other benefits for ourselves, our family, friends or business interests. This means making decisions because they benefit the public, not because they benefit the decision maker or someone associated with the decision maker.

d) Impartiality

We should make decisions on merit and in accordance with our statutory obligations when carrying out public business. This includes the making of appointments, awarding of contracts or recommending individuals for rewards or benefits. This means fairness to all, impartial assessment, merit selection in recruitment and in purchase and sale of Council's resources, considering only relevant matters.

e) Accountability

We are accountable to the public for our decisions and actions and should consider issues on their merits, taking into account the views of others. This means recording reasons for decisions, submitting to scrutiny, keeping proper records, establishing audit trails and conducting audits.

f) Openness

We have a duty to be as open as possible about our decisions and actions, giving reasons for decisions and restricting information only when the wider public interest clearly demands. This means recording, giving and revealing reasons for decisions, revealing other avenues available to the client or business, when authorised, offering all information, communicating clearly.

g) Honesty

We have a duty to act honestly. We must declare any private interests relating to our duties and take steps to resolve any conflicts arising in such a way that protects the public interest. This means obeying the law, following the letter and spirit of policies and procedures, observing the Council's Code of Conduct for Employees and exercising any delegated authority strictly for the purpose for which the authority was delegated.

h) Respect

We must treat others with respect at all times. This means not using derogatory terms towards others, observing the rights of other people, treating people with courtesy and recognising the different roles others play in local government decision-making.

CONFIDENTIALITY AND DISCLOSURE OF INFORMATION

12. The Council recognises the importance of an open, transparent culture with clear communication and public accountability. It is the Council's aim to be as open as possible about all its activities. The law requires that certain types of information must be available to Councillors, auditors, government departments, service users and the public. Different rules apply in different situations. The Freedom of Information Act requires for example, disclosure of information in response to written requests in circumstances set out in the Act, and the Data Protection Act requires that the Council complies with statute in relation to the handling and processing of personal data. If you are in any doubt as to whether you can release any particular information, always check with your manager first. Where appropriate you should seek advice from relevant officers including Information Governance Officers and Legal Services.
13. All information received in the course of your duties should be respected and must never be used for personal or political gain. You should not knowingly pass information on to others who might use it in such a way, if you do so, this may result in disciplinary action. If you believe that information should be disclosed in the public interest, you should refer to the Council's Whistleblowing Policy before doing so.

14. You should not communicate confidential information or documents to others who do not have a legitimate right to know. Furthermore, information which is stored whether on computer systems or manually must only be disclosed in accordance with the requirements of the General Data Protection Regulations and related legislation. During the course of duties many staff regularly deal with private and confidential information relating to companies, other organisations and individuals.
15. You must:
 - not supply confidential information to anyone who is not entitled to see it;
 - take appropriate action to protect against accidental disclosure or discovery of information and to ensure that unauthorised people do not gain access to Council information systems;
 - read and follow the Council's Data Protection Policy Statement, Information Governance Policies and Information and the Electronic Communications Policy and any service specific procedures that have been prepared. Deliberate or negligent breaches of confidentiality and the terms of these policies are deemed a serious disciplinary matter.
16. Information you give in the course of your duties should be accurate and fair and never designed to mislead.
17. Any particular information received by an employee from a Councillor which is personal to that Councillor and does not belong to the Council should not be divulged by the employee without the prior approval of that Councillor, except where such disclosure is required or allowed by law.
18. Only employees authorised by their Chief Officer to do so may talk to the Media or otherwise make public statements on behalf of their directorate. An employee contacted by the Media should refer the matter to the Council's Communications Team who will deal with it as appropriate.
19. Reference should also be made to the Council's Social Media Policy. When promoting or commenting on Council business on your personal social media account, think how you present yourself.

Care needs to be taken to ensure that where you reference that you work for the Council or there is a linkage to any council business or council colleagues; personal profiles should be up to date and professional. The line between public and private, personal and professional may be blurred on social media. Whether you identify yourself as a Council employee or not you should take care to ensure that, your posts do not bring the Council into disrepute.

20. Social networking sites are not appropriate forums to express frustrations or concerns related to work or Council services and any such issues should be addressed via the appropriate procedures
21. Employees should make it clear on your personal social media accounts that you are writing in a personal capacity (for example, add a line to your biography stating 'all views are my own') if you are commenting about or a connection to the Council.

WHISTLEBLOWING POLICY

22. Employees are often the first to realise that there may be something seriously wrong within the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
23. The Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of the Council's work to come forward and voice those concerns. The Council will want to proceed with understanding all serious concerns and recognises that most cases will have to proceed on a confidential basis.
24. In order to ensure that this can happen the Council has developed a Whistleblowing Policy which can be found on the intranet or a copy can be requested from your manager or HR.
25. The Whistleblowing Policy is intended to encourage and enable employees to raise serious concerns within the Council rather than

overlooking a problem or 'blowing the whistle' outside.

26. The policy applies to all employees and those contractors working for the Council on Council premises, for example, agency staff, builders and drivers. It also covers suppliers and those providing services under a contract with the Council in their own premises.
27. The policy is in addition to the Council's complaints procedures and other statutory reporting procedures applying to some departments. You are responsible for making service users aware of the existence of these procedures should they wish to make a complaint regarding a Council service or individual.
28. The policy has been discussed with the relevant trade unions and has their support.

PERSONAL APPEARANCE

29. In your appearance as well as in your behaviour, you should regard yourself as an ambassador for the Council and dress in clothing that is appropriate for your duties. Your Service may have a code of dress where it is important to project a favourable image of the Council and its employees, and you must follow any such code that applies to you. All employees are required to be neat and tidy in appearance. If you have direct contact with customers or members of the public you must be appropriately dressed.
30. Those officers who work online and appear on video conferencing platforms, should ensure that their appearance on camera is appropriate for the audience. Employees should be camera ready representing the Council and respectfully presented to fellow colleagues. If a back drop is applied to video conferencing screens this should be not cause offence to the wider audience.
31. If you are required to wear specific items of clothing, hairstyles or jewellery in accordance with your ethnic background or faith, your needs will be accommodated where possible and practicable, however, this must not pose a hazard to the health and safety of any person or contravene any legitimate or reasonable requirement of the Council.

- 32. The Council reserves the right to insist that you do not wear particular items of clothing or jewellery which it believes may cause offence to customers, suppliers, or other employees or which may pose a risk to the health and safety of any person.
- 33. The Council will enforce these rules having regard to the differences for men, women and transgender and non-binary employees.
- 34. As an employee of the Council you are expected to wear / carry your security ID badge at all times ideally on a lanyard around your neck where this does not pose a health and safety risk. It must always be produced on request.

POLITICAL NEUTRALITY

- 35. Employees serve the Council as a whole. It follows that you must serve all Councillors equally and respectfully.
- 36. From time to time, some employees may be requested to advise a meeting of a political group or its senior leadership. You must do so in ways which do not compromise your political neutrality and inform the Director of Governance and Monitoring Officer in advance should you have any concerns.
- 37. Whether you hold a politically restricted post or not, you must not allow your own personal or political opinions to interfere with your work and you must at all times perform your duties in an objective manner.

RELATIONSHIPS

- 38. City of York Council is firmly committed to equal opportunities and believes that every employee has the right to work in a safe environment without the fear of discrimination, harassment or abuse. This is reinforced in the Council's Organisational Development Plan. As such, the Council will not tolerate or condone harassment or bullying in any form. The Council has established a Dignity at Work Policy which addresses these issues in more detail. This policy aims to prohibit harassment and bullying within the Council and covers both employees and elected Members. Details of the policy are available on the Council's Intranet.

APPOINTMENT OF STAFF

39. It is unlawful for appointments to be made on the basis of anything other than the ability of the candidate to undertake the duties of the post. If you are involved in making appointments you should do everything possible to ensure that these are made on the basis of merit and in accordance with the Council's Recruitment and Selection Policy and associated guidance documents which can be found on the intranet.
40. In order to avoid any possible accusation of bias, you must not become involved in any appointment or any other decision relating to the discipline, promotion, pay or conditions of another employee, or prospective employee if you are a relative of an applicant, or have a close personal relationship with them, or are a close personal associate of them. You must also not be involved in an appointment where you have the opportunity to benefit, directly or indirectly, from the appointment without the express prior approval of the employing Chief Officer.
41. In paragraph 40 (above) the term 'relative' means a spouse, partner, parent, son, daughter, step-son, stepdaughter, child of a partner, brother, sister grandparent, grandchild, uncle, aunt, nephew, niece and in-laws or the spouse or partner of an existing Councillor and / or senior employee of City of York Council.
42. In paragraph 40 (above) the term a 'close personal relationship' can be described as someone who is well known to you and for whom you have feelings of liking, affection and loyalty. It is a closer relationship than simply being an acquaintance. For example, if you are both member of the same charity, club or association, this is not likely, on its own, to mean that you have a close personal relationship.
43. In paragraph 40 (above) the term 'close personal associate' would include a person not employed by the Council with whom you have a close business connection.
44. In paragraph 41 (above) the term 'partner' means a member of a

couple who live together.

45. Chief Officers (which term comprises any Director, including the Corporate Director, Assistant Director) and Heads of Service must disclose to the Head of Human Resources any relationship known to exist between them and any person they know as a candidate for an appointment with the Council.
46. Ideally, people who already have a close personal relationship should not seek employment in the same work group. Senior employees have a particular responsibility to ensure that there can be no question of favouritism or bias in the appointment or treatment of any person with whom they have a close personal relationship outside their particular work group. The higher the person is in the management structure, the greater the likelihood of there being an adverse effect on normal working relationships if people with close personal relationships are employed in the organisation.

RELATIONSHIPS AT WORK

47. If a social relationship develops into a close personal relationship, this can often interfere with the normal working relationships within the work group and can cause others to doubt that they will be treated fairly.
48. If a person with whom you have a close personal relationship is employed by the Council, you should take special care to conduct yourself in such a manner that the relationship does not interfere with service delivery or normal working relationships and does not cause others to doubt that they will be treated fairly. If it does, then you may not be able to do the job for which you are employed. Appropriate action may be taken in such circumstances.
49. Those involved in a close personal relationship with a work colleague which has broken down must ensure that they do not involve others in their private affairs within the workplace. Relationships and/or their breakdown must not interfere with working arrangements and employees must ensure that work is not affected. Unless there is a genuine work related issue the Council will not allow its policies and procedures to be used by employees whose private relationship with each other has broken down.

COUNCILLORS

50. Mutual respect between employees and Councillors is essential for good local government. Some employees need to work closely with Councillors. 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.

THE LOCAL COMMUNITY AND SERVICE USERS

51. Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community in accordance with the policies of the authority. This may involve dealing with troubled, angry and frustrated customers, although employees are entitled, not to be expected to place their personal health, safety and welfare at risk.

CONTRACTORS

52. All relationships of a business or personal nature with external contractors or suppliers, or potential contractors or suppliers, must be declared to your Head of Service, the Monitoring Officer and the Chief Financial Officer at the earliest opportunity. In this case a relationship would extend to where the employee will have a direct or indirect benefit of the appointment of a contractor or supplier.
53. Orders and contracts must be awarded in accordance with the Contracts Procedure Rules and no special favour should be shown to businesses run by parties identified in paragraph 40, whether these are friends or someone the employee has a close personal relationship with.
54. If your job entails engaging or supervising internal or external contractors, or having any other official relationship with contractors and you have previously had or currently have a business or personal relationship in a private or domestic capacity with any contractors, you should declare that relationship to your Head of Service and make the Monitoring Officer and the Chief Finance Officer aware of this as well.

55. You must not use, in a private or domestic capacity, any contractor with whom you have had or are having an official working relationship with, without first obtaining the permission of the Chief Officer, the Monitoring Officer and the Chief Finance Officer.

EMPLOYMENT MATTERS

56. If you apply for promotion or are seeking another post in the Council, you must not approach any City of York Councillor for a reference. Issues relating to your conditions of service, working arrangements or grading should be raised with your manager, supervisor and the Head of Human Resources - and not with Councillors.
57. You must not be involved in or attempt to influence any decision relating to discipline, promotion or pay adjustments for any other employee who is detailed in paragraph 40.
58. The information contained in Disclosure and Barring Service disclosures is considered highly confidential and the Council will restrict access to those who are entitled to see it as part of their duties in line with its DBS guidance.

OUTSIDE COMMITMENTS

59. The Council recognises that employees are entitled to their private lives. In general, an employee's choices and action outside of work are not the Council's concern. However, in order to protect both the employee and the Council there are exceptions to this, these are outlined below.

CONDUCT

60. Where in or outside work, employees must not conduct themselves in any way that creates doubt as to their suitability for their post or brings the Council into disrepute. Where conduct, whether inside or outside or work does create doubt as to an employee's suitability for their post or brings the Council into disrepute, this will be dealt with accordingly under the Council's Disciplinary Policy.

ADDITIONAL WORK

61. Employees may be able to take on outside employment/work/business responsibilities in addition to their existing contact of employment, providing it does not conflict with the performance of their duties in the role for which they are employed.
62. Additional work includes:
 - (a) paid employment,
 - (b) self-employment,
 - (c) being a named partner in a business or a sole-trader
 - (d) being named as an Officer of a company (e.g. Director or Secretary)
 - (e) voluntary work involving driving duties if you are employed by the Council as an LGV/PSV driver (because of driving hour regulations)
63. In order to assess whether or not there might be a conflict, employees are required to obtain the consent of their Chief Officer before taking on any outside employment/duties. If you fall into this category, and want to seek the Council's agreement, you should complete Declaration of Interests and submit it to your Chief Officer. The Council will not unreasonably stop employees from undertaking additional employment/duties/work, but this employment must not, in the Council's view, conflict with or be detrimental to its interests, or weaken public confidence in the conduct of its business.
64. Should you fail to complete and declare additional work and complete the Declarations of Interest form, you may be referred for action under the Council's Disciplinary Policy.
65. Touting for or on behalf of any secondary employment in working hours is an improper use of the Council's time and will be dealt with accordingly.
66. An employee who wishes to take on additional work/duties must ensure that:
 - (a) the additional hours worked do not contravene the Working Time Regulations or otherwise give the Council cause for concern about health and safety at work;

- (b) the outside work does not place the employee in a position where their duties and private interests conflict;
- (c) the outside work does not damage, or potentially damage, public confidence in the Council's conduct or business;
- (d) the outside work does not involve the employee being in direct competition with the Council for work/contracts;
- (e) any potential employer is aware of your employment with the Council;
- (f) you do not wear Council uniform whilst undertaking the additional work/duties;
- (g) you do not use Council property when undertaking the additional work/duties (e.g. Council owned computers, vans, tools, photocopiers);
- (h) you do not use the Council's email system when undertaking the additional work/duties in line with the Electronic Communication Policy
- (i) you do not undertake private or personal work, paid or unpaid, of any description in working hours or in the office.

VOLUNTARY WORK

- 67. The Council recognises the invaluable and positive role that volunteers play in supporting our services and communities and therefore, promotes the work volunteers do. Generally permission to volunteer is not required, unless you are seeking paid time off for voluntary work in line with the Employer Supported Volunteering Scheme (further details of this scheme is available from your manager and the intranet)
- 68. If you are employed by the Council as an LGV/PSV driver, because of driving hour regulations, you must seek permission to do voluntary work which involves driving duties by complete and submitting the Declaration of Interests form to your Chief Officer.

REFUSAL OF A REQUEST TO TAKE ON ADDITIONAL WORK

69. If an employee has their request to take on additional work refused and wishes to challenge this, they should initially speak to their manager, or raise with your Head of Service. If you remain dissatisfied consider raising a grievance under the Council's grievance procedure.

BOOKS, TRAINING MATERIALS AND INTELLECTUAL PROPERTY RIGHTS

70. If you write a book for payment on subjects relating to your work for the Council you must seek the permission of the Council through your Chief Officer using Declaration of Interests form.
71. Fees for giving lectures or writing articles/books may only be retained by employees where these activities are not integral to their employment or position with the Council and they are conducted in the employee's own time.
72. The Council retains intellectual property rights for work undertaken by employees. The Council will not authorise intellectual property rights to be used by any employee in a private capacity. Research, reports, designs, drawings, software and other developments or similar work, when created in the course of an employee's normal duties, remain the property of the Council. These should not be removed from Council premises or passed on to third parties by any employee acting in a private capacity.

PATENTS AND INVENTIONS

73. Any matter, or thing capable of being patented under the Patents Act 1977, made developed or discovered by an employee, either alone or with others, whilst in the performance of their duties should be disclosed to the Council through the appropriate Chief Officer and, subject to the provisions of the Patents Act, it will belong to and be the absolute property of the Council.

COMPUTER USE

74. The council wants employees to use computers to the full and to feel

competent and comfortable about doing so. However, it is essential that computers are used appropriately. Any reference to computers should be taken to mean all computer equipment and any associated technology (e.g. emails).

MISUSE OF COMPUTERS AND OTHER TECHNOLOGY

75. The misuse of computers is a serious matter and may result in employees being subject to disciplinary and, where appropriate, legal action.
76. A number of guidance documents exist in relation to the use of the Council's computers and information technology. These include the Electronic Communications Policy and associated guidance documents and the Social Media Policy. Employees must be familiar with, and abide by the Council's Policies on computer use.
77. Private use of Council facilities, such as computers (including use of the Internet) and stationery, is governed by these documents. Personal use of the office telephone is permitted within reason. Employees must not arrange to receive or have collected correspondence from CYC premises and sites (this includes parcels) related to outside work or private interests. Misuse of Council facilities such as mobile phones, office telephones and photocopiers may result in disciplinary action being taken.
78. An employee who is aware or suspects that abuse of computers, email, the internet, the intranet or other technology is taking place is under a duty to report this immediately under the Council's Whistleblowing Policy.
79. The Council will monitor the use of computers etc. without notice. A record of any sites accessed by staff is automatically stored on the system and may be examined later if misuse is suspected.

INTERNET AND SOCIAL NETWORKING

80. Internet access for personal use should be in line with the Council's policy on Electronic Communications Policy and must not affect an employee's performance and productivity at work.

PERSONAL INTERESTS

81. Employees may have a variety of personal interests, which may from time to time impact on their role for the Council. To protect the Council and the employee from any accusations of wrong doing the Council has in place a number of safeguards which demonstrate that these interest are not allowed to influence the way the Council conducts its business.
82. If you are a Chief Officer, then you must complete a Register of interests. The purpose of this register is to ensure that those who have responsibility for taking the majority of delegated decisions of the authority are required to meet similar standards required of elected members in relation to the registration and declaration of interests.
83. The Registration of Interest for Chief Officers will be published online and publically available.
84. The information may also need to be disclosed to those involved in hearing any disciplinary matter or in accordance with the Council's other legal obligations to disclose information to the external auditors, the Local Government and Social Care Ombudsman or in the course of court proceedings.
85. The form and guidance for completion is available in the Declaration of Interests Form.
86. All employees are required to declare interests that may conflict with the interest of the Council, or adversely affect the performance of their duties. Such disclosure protects employees from accusations of impropriety. Any Declarations of interest, that are financial or non-financial which could bring about conflict with the Council's interests must be made on the Declaration of Interests form.
87. If you are in any doubt about a potential conflict of interest, you should bring the matter to the attention of your manager so that a decision can be made as to how best to proceed.
88. You must not make, or become involved with, any official, professional, decisions about matters in which you have a personal

interest.

INTEREST IN CONTRACTS

89. Section 117 of the Local Government Act 1972 requires you to make a formal declaration about contracts or proposed contracts with the Council in which you have a pecuniary interest. Such declarations should be made on the Declaration of Interests form. It is a criminal offence to fail to comply with this provision, which is set out in full at Annex A to this Code. Pecuniary interests are considered at Section 95 of the Local Government Act 1972, See Annex B to this Code.

GIFTS AND HOSPITALITY

90. A potential source of conflict between public and private interests is the offer of gifts, hospitality or benefits in kind to employees in connection with their official duties. It is important to avoid any suggestion of improper influence.

GIFTS GENERALLY

91. Casual gifts offered to employees by contractors, organisations, firms or individuals such as calendars, diaries, mouse mats, pens, and other small gifts need not be declared. However it will not be appropriate to accept a gift if it is more than minimal and may be perceived as an inducement. Where a number of small gifts over a period of time are received these should be declared.
92. With the exceptions listed below, you should decline any personal gift offered to you, or to a member of your family, by any person or organisation you have dealings with through the Council.
93. Any such offer should be reported to your Manager and should be recorded in a register, which is kept for this purpose. Managers should report any such offer via email to the Corporate Director's Executive Support Assistant for the place and People's Directorate and the Corporate Support Manager for the Corporate Functions, who will record it in the register. The Corporate Director will then review and authorise accordingly.
94. When a gift needs to be refused, this should be done with tact and

courtesy, because the offer of gifts is common custom and practice in the commercial world, particularly at Christmas time. If the gift is simply delivered to your place of work, there may be a problem returning it, in which case it should be reported immediately to your Manager, who in turn will inform the Director of Governance and Monitoring Officer.

GIFTS FROM SERVICE USERS AND CLIENTS

95. There are sometimes problems encountered by employees who have a 'caring' role, or provide direct personal service to vulnerable people.
96. It is not unusual for residents of residential care homes, or for people receiving support at home from Council employees, or their relatives, to wish to express their thanks and gratitude to care staff by offering gifts, money or even, exceptionally, by making an employee a beneficiary in their will.
97. It is most important in such situations that employees are protected from any suggestion of improper motives or conduct. This is, however, an area which needs to be handled with great tact and sensitivity if needless offence to the individual making the offer is to be avoided, with a proper explanation given as to the reason why. Where it has not been possible to return a gift, this must be reported to your manager who will give you further guidance.
98. If you are aware that you have been or may be made a beneficiary of an individual's will, you should immediately report this to your manager. A manager will then visit the client to discuss the proposed bequest. The manager will seek to deter the individual from making the bequest, and ensure that if a bequest is given that it represents the genuine wishes of the individual who has not been subject of any improper influence. Following the visit, the manager will notify the Director of Governance who will discuss the matter with you and determine what action to take.
99. In some cases an employee might not know that he or she is a beneficiary until after the death of the client concerned. As soon as an employee is made aware of such a bequest, he or she should notify their Chief Officer who will advise as to whether the gift should be

accepted.

HOSPITALITY

100. Offers of hospitality are a normal part of the courtesies of business life but in the public sector it is important for employees to avoid creating an appearance of improper influence, thus undermining public confidence. You should only accept offers of hospitality if there is a genuine need to impart information or 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 Council should be seen to be represented. In all such cases they should be properly authorised by your Corporate Director
101. Hospitality is sometimes offered to representatives of the Council in an official or formal capacity.
102. If hospitality is offered to you as an individual employee, special caution is needed, particularly when the host is seeking to do business with the Council or to obtain a decision from it. You must exercise the utmost care in dealing with contractors, developers etc. who may stand to benefit from the goodwill of the Council. If you decide to accept hospitality it should be on the basis that there will be a clear benefit to the Council through e.g. networking and building contacts, if there is no or limited benefit to the Council you should not attend. You should resist additional gifts associated with an event such as free travel, or gift bags and items.
103. You should also be careful about attending exhibitions, seminars or visiting manufacturers etc. There is an increasing trend towards linking such visits to, for example, a major sporting event, show or concert with a view to legitimising offers of hospitality. Training events with very low training content and free catering, drink or transport may also be hospitality.
104. In general terms, it is more likely to be acceptable for you to join in hospitality offered to a group, than to accept something unique to yourself. When a particular person or body has a matter currently in issue with the Council, for example, an arbitration arising from a contract, then clearly common sense dictates that offers of hospitality should be refused even if in normal times they would be acceptable.

SPONSORSHIP – GIVING AND RECEIVING

105. When 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 or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
106. Where the Council wishes to sponsor an event or services, neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full prior disclosure to their Chief Officer of any such interest. Similarly, where the Council 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.
107. Employees should take advice from the Director of Governance on the possible legal or procurement issues which may be associated with securing sponsorship.

CRIMINAL CONVICTIONS/LOSS OF LICENCE OR QUALIFICATION

108. You must inform your manager immediately if you:
- (a) receive any criminal conviction, caution, or are held or released subject to bail, or placed under bond during, either within or outside of your normal working hours;
 - (b) receive any driving convictions that result in the loss of your driving licence which then impacts on your ability to perform your duties at work, receive any penalty points on their driving licence, are involved in a road traffic accident (however minor) whilst driving at work, or if driving on Council business is part of your job role;
 - (c) have engaged in behaviour that has resulted in loss of licence, affiliation, accreditation, qualification or professional membership that may impact on your ability to carry out the

duties of your contracted role.

- (d) Are impacted by a health condition that may affect your driving including the taking of any prescription medicines or self-prescribed medication that impact on your driving capacity or ability

109. If your post is subject to a Disclosure and Barring Service (DBS) Check, as well as the above, you must also inform your manager immediately if you are subject to a criminal investigation. If you are unsure about whether your post requires a DBS check, please seek clarification from your manager. All information you provide in this regard will be dealt with in strict confidence.

PLANNING MATTERS

110. All Officers submitting a planning application to the authority must inform the Director of Governance and the Director for Environment, Transport and Planning. The Director of Governance will maintain a register of all such applications. The Director for Environment, Transport and Planning shall ensure that these are dealt with without influence and where necessary decisions are referred to the Planning Applications Committee.

111. Further details about the conduct of planning matters are set out in Article 13 and Appendix 17 of the Constitution.

EQUALITY

112. The Council is committed to tackling discrimination in how it treats its employees and how it delivers services, and also to actively promoting and championing equality in the community. All members of the local community, customers and other Council employees have a right to be treated with fairness and equity. You should become familiar with and observe all Council policies relating to equality issues in addition to the requirements of the law under the Equality Act 2010 and the Public Sector Equality Duty.

113. If you feel that you have been unfairly treated, discriminated against or harassed, you are entitled to make use of the Council's Dignity at Work Policy. You are also entitled to be treated with respect by

clients, service users and members of the public, and be supported with this by the Council.

114. In the same way you are required to treat your colleagues, staff and members of the public fairly and with respect.

TENDER PROCEDURES

115. Employees involved in the tendering process and dealing with contractors should be clear about the nature of the separation of client and contractor roles within the Authority. Employees who have both a client and contractor responsibility must be aware of the need for accountability and openness. The relevant statutory rules appear in Annex A and B of this Code.
116. If you are part of a contractor or client unit or have other official relationships with contractors, you must exercise fairness and impartiality when dealing with all customers, other contractors and sub-contractors.
117. If you are responsible for engaging or supervising contractors and have previously had, or currently have, a relationship in a private or domestic capacity with a particular contractor, you must declare that relationship to your Chief Officer using the Declaration of Interests form.
118. If you become privy to confidential information on tenders or costs relating either to internal or external contractors, you must not disclose that information to any unauthorised person or organisation.
119. All employees must ensure that no special favour is shown to current, or recent, former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in any capacity.

CORRUPTION

120. The Council takes a very firm stance against all forms of bribery and corruption which includes money laundering, misconduct in a public office, theft and more. All employees have a responsibility to help prevent, detect and report incidents of bribery and money laundering

and any concerns should be raised with a Corporate Directors and the Director of Governance and has adopted an Anti-Bribery Policy and Procedures which can be found on the intranet or a copy can be requested from HR.

121. Employees must be aware that bribing another person or receiving a bribe are serious criminal offences under the Bribery Act 2010. Penalties include fines and or imprisonment for up to 10 years
122. The offence of 'bribing another person' will be committed if you offer, promise or give financial or other advantage to another person with the aim of inducing or rewarding them perform an activity or function improperly. The activity or function could relate to an external business or commercial activity or any public function (for instance done in house or by another public sector body).
123. The offence of 'being bribed' will be committed if you request or agree to receive or accept any financial or other advantage in return for improperly performing or allowing the improper performance of an activity or function. The activity or function could be any public function or something you do during the course of your employment
124. Further details of the Bribery Act offences are set out in the Anti-Bribery Policy and Procedures.
125. For you own protection, if anyone makes an approach to you which seems to you, or might seem to a third party, to be aimed at obtaining some form of preferential treatment, or in any suspicious circumstances in connection with a contract, you must report the matter to your Chief Officer.

FINANCIAL PROCEDURE RULES

126. All employees involved in financial activities and transactions on behalf of the Council, including budgetary control, payments of accounts, payments of salaries and wages, petty cash and orders of works, goods or services must follow the Council's Financial Procedure Rules. These can be found in the Council's Constitution at Appendix 10 which is available on the Council's web pages.
127. They must ensure that they use public funds entrusted to them in a

responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Authority.

ANNEX A

PERSONAL INTERESTS LOCAL GOVERNMENT ACT 1972, SECTION 117

1. If it comes to the knowledge of an Officer employed, whether under this Act or any other enactment, by a Local Authority that a contract in which he has any pecuniary interest, whether direct or indirect (not being a contract to which he is himself a party), has been, or is proposed to be, entered into by the authority or any committee thereof, he shall as soon as practicable give notice in writing to the authority of the fact that he is interested therein.

For the purposes of this section, an Officer shall be treated as having indirectly a pecuniary interest in a contract or proposed contract if he would have been so treated by virtue of section 95 above had he been a Member of the Authority.

2. An Officer of a Local Authority shall not, under colour of his office or employment, accept any fee or reward other than his proper remuneration.
3. Any person who contravenes the provisions of subsection (1) or (2) above shall be liable on summary conviction to a fine not exceeding (level 4 on the standard scale).
4. References in this section to a Local Authority shall include references to a joint committee appointed under Part VI of this Act or any other enactment.

ANNEX B

PERSONAL INTERESTS LOCAL GOVERNMENT ACT 1972, SECTION 95

1. For the purposes of Section 94 above a person shall be treated, subject to the following provisions of this section and to Section 97 below, as having indirectly a pecuniary interest in a contract, proposed contract or other matter, if:
 - (a) they or any nominee of their family is a member of a company or other body with which the contract was made or is proposed to be made or which has a direct pecuniary interest in the other matter under consideration; or
 - (b) they are a partner, or is in the employment, of a person with whom the contract was made or is proposed to be made or who has a direct pecuniary interest in the other matter under consideration
2. Sub-section (1) above, does not apply to membership of or employment under any public body, and a member of a company or other body shall not be reason only of his membership be treated as having an interest in any contract, proposed contract or other matter if he has no beneficial interest in any securities of that company or other body.
3. In the case of married persons living together the interest of one spouse shall, if known to the other, be deemed for the purpose of section 94 above to be also an interest of the other.