

## **EMPLOYEE CODE OF CONDUCT**

The code provides a set of standards of conduct expected of employees at work and the link between work at the Council and their private lives.

The code applies to all employees at North East Derbyshire District Council.

### **SECTION ONE: OVERVIEW**

#### **The Seven Principles of Public Life**

Council employees are both servants of the public and stewards of public resources. The Seven Principles of Public Life (also known as the Nolan Principles) set out below, apply to North East Derbyshire District Council employees.

##### **1. Selflessness**

Holders of public office should act solely in terms of the public interest.

##### **2. Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

##### **3. Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

##### **4. Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

##### **5. Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

##### **6. Honesty**

Holders of public office should be truthful.

## **7. Leadership**

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

### **SECTION TWO: EMPLOYEE CODE OF CONDUCT STANDARDS**

Employees are expected to conduct themselves at all times in a manner that will maintain public confidence in both their integrity and the services provided by the Council.

It is expected every employee should adhere to the following:

#### **Personal Behaviours**

1. Be honest and maintain at all times a high standard of integrity, conduct and professionalism
2. Behave in an appropriate manner and not bring the Council's reputation into dispute, this includes use of Social Media both personally and professionally.
3. Treat others with respect and courtesy including colleagues and customers.
4. Not use offensive or abusive language or behaviour.
5. Take all steps reasonably possible to attend for work and achieve regular attendance at work
6. Arrive for work punctually, dressed appropriately and fit to carry out the duties of the job role (this includes wearing your ID badge and personal protective equipment/clothing appropriate for the role).

#### **Accountability & Responsibility**

1. Perform faithfully the duties specified within your job role and in your contract of employment.
2. At all times ensure value for money and where it is part of your duties, provide appropriate advice to Councillors and other employees impartially.
3. Be committed to delivering quality services at all times working within the Council's policies and procedures.
4. Take reasonable care of your own health and safety and others that may be affected by your work activities.

## **Personal Interests**

1. You must not put your private interests or those of relatives or friends before your duty to the Council or use your position to further private interests of relatives and friends.
2. Declare to your Assistant Director/Director any conflicts of interests and any personal circumstances which may result in a potential conflict of interest at the earliest opportunity.
3. It is a serious criminal offence for an employee to offer, receive or provide something of value as an inducement or reward for doing or not doing something or for showing favour or disfavour within their role.
4. You must not use Council property, equipment, vehicles or intellectual property/information for private/personal use.
5. You must seek permission from the Council should you undertake any paid or unpaid secondary appointment and this must not conflict with your job role at the Council.

## **SECTION THREE: KEY PRINCIPLES**

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 other employees and members with impartiality and courtesy.

Employees should bring to the attention of their manager any deficiency in the provision of service and must report any impropriety or breach of procedure.

### **Respect**

Employees are expected to be professional, courteous and show mutual respect towards others. The Council expects good working relationships. Any behaviour that causes unreasonable offence or distress is to be avoided. Rude and offensive behaviour by an employee towards any individual e.g. a colleague, manager, customer, resident or Councillor is not acceptable. Employees are responsible for ensuring they have understood what behaviour is required of them and complying with Council expectations in terms of behaviour and conduct, as set out in this policy.

Any employee found to have breached this may subject to further action under the Council's Disciplinary Policy.

### **Dress Code and Appearance**

As a public sector and customer focused organisation, the Council is keen to ensure a professional workplace culture. The Council expect all employees to be professional and presentable when undertaking job duties for the Council (including when working remotely).

Smart/casual business clothing Council uniform or protective clothing appropriate to the job role, should be worn at all times. The Council may choose to relax this requirement during unusually hot or cold weather whilst ensuring health and safety standards are met. Should this be the case, it will be confirmed to all employees via a corporate communication.

It is recognised some teams may have different dress codes and appearance expectations specific to the job role. The Council expects employees to use common sense, as it is important all employees dress/appearance in the workplace reflects our professional approach and gives confidence to our residents, customers and external partners.

### **Disclosure of Information**

The law requires that certain types of information must be available to Members, Auditors, Government Departments, Service Users and the public. Under the Local Government Act 1972 the public have a right to see certain information. In most circumstances these rights are related to Committee Reports and background documents. Employees must not prevent access to information where there is a legal right to access it. Employees are expected to seek guidance from their manager if they are unsure.

Employees must not use any information obtained in the course of their employment for personal gain or benefit, nor shall they pass it onto others who might use it in such a way.

Only employees authorised by their Director to do so, may talk to the Press or otherwise make public statements on behalf of their Service or the Council. An employee contacted by the media should refer the matter to the Communications Team who will deal with the request as appropriate.

### **Political Neutrality**

Employees serve the Council as a whole. It follows, therefore, that they must serve all Members not just Members of any controlling Group and must ensure the individual rights of all Members are respected.

Some senior employees will be expected, within the Council's guidelines, to advise political groups. These employees have a duty to advise minority groups as well as the majority group.

Employees in politically restricted posts and by law are prevented from taking part in certain political activities outside their work. Employees who are in this position will have been informed of this in writing, but any employee who is in any doubt about their position should contact their Assistant Director, Director, the Council's Head of Paid Service or the Council's Monitoring Officer.

The political activities which are restricted for these Officers mainly cover the following areas:-

- Standing as a candidate for election to the House of Commons, European, Parliament or a Local Authority (other than a Parish Council)
- Holding office in a political party at any level, except in limited roles concerned only with the internal membership of the party.
- Canvassing at an election.
- Speaking in public or publishing any written or artistic work which appears to be intended to affect public support for a political party.

Employees, whether or not politically restricted, must follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work. For a list of politically restricted posts please contact the HR Team.

### **Relationships**

- a) **Members**  
Some employees are required to give advice to members as part of their job. Mutual respect between employees and members is essential to good Local Government but close personal familiarity between employees and individual members can damage the relationship and prove embarrassing to other employees and should therefore be avoided.
- b) **The Local Community and Service Users** Employees must always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within the Community.
- c) **Contractors**  
All relationships with contractors or potential contractors must be made known to the appropriate Director. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no favouritism should be shown to businesses run by current or recent employees or their partners, close relatives or associates. Employees who engage or supervise contractors or have an official relationship with contractors and have previously had or currently have a relationship in a private, financial or domestic capacity, must declare that relationship to their Director.

### **Appointments and Other Employment Matters**

Employees involved in appointments must ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the work. In order to avoid any possible accusation of bias, employees must not be involved in an appointment where they are related to an applicant, or have a personal relationship outside of work with them. Similarly employees must not be involved in decisions relating to discipline, promotion or adjustments for any other employee who is a relative, partner or close friend.

## **Outside Commitments**

Employees off duty hours are their personal concern but they must not subordinate their duty to their private interests or put themselves in a position where duty and private interests conflict.

The Council would not wish to preclude employees unreasonably from undertaking additional work unless that work conflicts with or detrimentally affects the Council's interests or in any way weakens public confidence in the conduct of the Council's business or in any other way affects their ability to undertake their Council work.

Officers are expected to devote the whole of their service to the work of the Council and must not engage in any other business or take up any other additional appointment without the agreement in advance of their Assistant Director, Director or the Council's Monitoring Officer. Employees must submit their request in writing providing full details of the appointment/activity. The request will then be considered by the Assistant Director or Director in consultation with HR.

Engagement in external business, employment, appointment or activities will be deemed to act detrimentally to the Council's interests where it may give rise to or contribute to an employee's sickness absence or deterioration in performance.

Work should not be undertaken that would render you unavailable for duty during your normal office hours, conflict with your duty to the Council or be inconsistent with your position as a public servant.

If agreement is given employees must be made aware that no outside work of any sort should be undertaken in the workplace and use of facilities e.g. telephones, photocopying etc for this is forbidden, unless this is previously authorised and paid for.

## **Personal Interests**

Employees should regularly review their personal circumstances and take steps to deal with any conflict of interest.

Employees must declare to their line manager in writing, non-financial interests that they consider could bring about conflict with the Council's interest.

This could include involvement with an Organisation receiving Grant Aid from the Council, Membership of an NHS Trust Board, involvement with an Organisation or Pressure Group which may seek to influence their Authority's policies. Membership of a Trade Union is exempted from this requirement.

Employees must declare any financial interests which could conflict with the Council's interest.

Employees must declare to their Assistant Director, Director or the Council's Monitoring Officer, any Membership of any Organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about its rules or membership or conduct e.g. Freemasons.

Employees who have an interest, financial or non-financial, should not involve themselves in any decision on allocation of Council services or resources from which they, their friends or family might benefit, and should ensure that the matter is referred immediately to their Assistant Director, Director or the Council's Monitoring Officer.

### **Conflict of Interest**

Responsibility is placed on every Officer to disclose to their Manager, Assistant Director or Director, where a conflict of interest may be present.

Where a potential conflict of interest exists, public perception must be taken into consideration.

A conflict of interest occurs when an employee has a clash between their personal interests and their professional duties or responsibilities. This arises when an employee has a personal interest relating to the professional matter before them as a Council employee. This may be for example:

- Being involved in the recruitment of a relative or friend to a Council role with or without disclosure of the fact.
- Failing to disclose that you are related to a job candidate the Council is considering hiring
- Posting adverse comments and views about the Council to social media or talking to the press about the same.
- Failing to investigate a subordinate or co-worker's wrongdoing because they are a friend or relative
- Making a purchase or business choice to boost a business that you have a stake in or that a friend or relative has a stake in.
- Accepting consulting fees and providing advice to another body which is in a contractual or tendering relationship with the Council.
- Taking advantage of confidential information learned on the job for your own benefit
- Starting a business that competes with or for the Council's business.
- Receiving and accepting an offer of hospitality or a gift from a potential or actual tenderer for a Council contract.

### **Equalities**

Employees have an obligation to ensure that policies relating to equality issues as agreed by the Council are complied with as well as the requirements of the law. All members of the local community, customers and other employees have a right to be treated with fairness, respect and equity.

### **Separation of Role in Tendering**

Employees should be clear on the separation of client and contractor roles within the Council. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.

Employees in contractor or provider units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

Employees who are privy to confidential information on tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation.

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 by them or employing them in a senior or relevant managerial capacity.

### **Corruption**

It is a criminal offence for an employee to receive or give any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in their official capacity. It is for the employee to demonstrate that any such rewards have not been corruptly obtained.

### **Use of Financial Resources**

Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner ensuring value for money to the local community and avoiding legal challenge to the Council.

### **Hospitality & Gifts**

The basic rules are:

- You should not place yourself in a position where your own integrity and the integrity of the Council may be called into question.
- Any offer, gift, favour or hospitality should only be accepted where you are satisfied that any purchasing, planning or other Council decisions are not compromised.
- You must not accept cash or gift vouchers in any circumstances.
- You should only accept meals/refreshments where you are representing the Council.
- All offers of gifts and hospitality whether accepted or rejected should be recorded in the Council's Gifts and Hospitality Register.

Employees must treat with extreme caution any offer, gift, favour or hospitality made to them personally.

If there is a genuine need as a legitimate part of an employee's job to accept offers of hospitality this may be allowed. The decision whether to accept is one of common sense, however, an employee should seek advice from their Director and/or the



Council's Monitoring Officer, particularly where there is doubt about the legitimacy of any offer of hospitality or gift.

When considering whether or not to accept hospitality employees must be sensitive to the timing of decisions for letting contracts for which the provider may be bidding and must never accept hospitality from a contractor during a tendering period.

Acceptance by employees of hospitality at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal.

Any offer, gift, favour or hospitality as described in the above paragraphs should only be accepted where the employee is satisfied that any purchasing, planning or other Council decisions are not compromised. Employees should not place themselves in a position where their own integrity and the integrity of the Council may be called into question.

When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the Council.

Employees must not accept personal gifts from contractors and outside suppliers. Insignificant tokens such as pens or diaries may be accepted.

A register is maintained by the Monitoring Officer which is open to inspection by the Standards Committee of the Council. This register should be used by any employee of the Council who accepts any gift, favour or hospitality (from the value of £25 or more or of less value but where it might be considered contentious) made to them and accepted by them personally or on behalf of the Council.

### **Sponsorship – Giving and Receiving**

Where an outside organisation wishes to sponsor or is seeking to sponsor a Local Government activity, whether by invitation, tender, negotiation or voluntarily the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Where the Authority wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to their Assistant Director, Director or the Council's Monitoring Officer of any such interest. Similarly where the Council through sponsorship, grant aid, financial or other means gives support in the community, employees must ensure that impartial advice is given and that there is no conflict of interest involved.

### **Photographs of Employees At Work**

The Council may on occasion use an employee's image/photo as part of our communications activities, for example on the internet or social media when explaining the services the Council deliver to residents. The Communications Team explain how the photos will be used by the Council.

You do have the option not to consent to your image being used and there will be no adverse consequences should you do this. You should do this by informing your Manager, HR and the Communications Team in writing or by email. If you have any questions at all, please speak to your manager in the first instance.

#### **SECTION FOUR: BREACH OF THE EMPLOYEE CODE OF CONDUCT**

Investigations of alleged breaches of this code will be dealt with under the Council's Disciplinary Policy. If employees are in any doubt about any aspects of this code or whether they may be in breach of this code, they should seek advice from their manager, Assistant Director, Director or the Council's Monitoring Officer.

Any employee who does not act in accordance with the employee code of conduct, whether intentionally or not, may be in breach of the terms and conditions of employment and this may result in an investigation and potentially disciplinary action.

The Council may withhold an employee's pay, should they fail to comply with the Employee Code of Conduct and where this would be viewed as a breach of contract. For example, when an employee fails to attend for work on time without good reason and/or contacting their manager in advance to notify them they would not arrive for work on time.