

Annex 3.2: Code of Conduct for Officers of the Council

The Code of Conduct for Officers of the Council was approved by Cabinet on 16 October 2006 and updated in December 2015.

1. Introduction

- 1.1 The public is entitled to expect the highest standards of conduct from all staff who work for Local Government and therefore Gravesham Borough Council. This code outlines existing laws, regulations and conditions of service and provides further guidance to assist the council and its staff in their day to day work. The Code is produced in light of the challenges which staff face in the new and more commercially orientated environment of today. However, the code cannot be exhaustive and officers should seek guidance on any matter where they are unsure of the standards required.
- 1.2 In addition, Gravesham Borough Council as outlined in our Corporate Plan, the council aspires to be one of the best-performing authorities in England. We want our performance to be in the top quarter of councils; but, more importantly, we want to be excellent in the eyes of our customers.

2. Background

- 2.1 The first two reports of the Nolan Committee on Standards in Public Life set out a common ethical framework 'which is in line with current thinking and good practice'. 'We recommended that everybody providing public services should draw up codes of conduct for both managers and staff which incorporate these (seven) principles (of public life), and should reinforce these through training'.

- 2.2 The seven principles are:

Selflessness: Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.

Integrity: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness: Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and only restrict information when the wider public interest clearly demands.

Honesty: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership: Holders of public office should promote and support these principles by leadership and example.

2.3 This Code of Conduct has been prepared in response to that recommendation and guidance from the Audit Commission.

3. Code of Conduct Explained

3.1 Gravesham Borough Council aims to provide excellent local government for the people of the Gravesham. It has, therefore, agreed this Code of Conduct in order to:

- (a) promote the highest standards in public life.
- (b) promote harmonious working relationships.
- (c) protect employees from misunderstanding or criticism.

3.2 Every organisation has its rules. Generally the vast majority of staff in Gravesham Borough Council work with integrity. However, the reputation of all staff is helped when a misdemeanour is discovered and corrected.

3.3 This code sets out the minimum standards by which the council and its staff work. It is not a complete list of what you can and cannot do, but its aim is to enable staff to understand the ground rules.

3.4 Examples used in this code are for guidance and it is up to you to think for yourself what impact your actions may have on your job.

3.5 The council expects and obtains high standards from its employees because:

- (a) Council services can affect the health, wealth and well-being of local people.
- (b) the council is subject to democratic control and is accountable to the electorate.
- (c) local people fund council spending and take an interest in the way money is spent.
- (d) the council sometimes has a monopoly on the service it offers.

3.6 The code is binding on all council staff.

4. **Appointments and Other Employment Matters**

- 4.1 Employees involved in appointments should ensure that these are made on the basis of merit and in accordance with the council's policies and procedures. 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 duties of the post. In order to avoid any possible accusation 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 with a prospective employee.
- 4.2 Only the Chief Executive, Directors, Assistant Directors, Service Managers and the Human Resources team may give employer's references on behalf of the council. It is acceptable for employees to give character references to their colleagues; but they should make it clear that they are writing in their own personal capacity.
- 4.3 Similarly, employees should not be directly involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner, etc.
- 4.4 Where a relationship exists with an applicant for a post with the council such a relationship must be clearly indicated on the application form. Where an employee of the council is aware that a relation is applying for a post they must bring this to the attention of the appropriate manager as soon as possible.
- 4.5 All employees of the council must disclose to their line manager and Human Resources any formal criminal charges including cautions which have been made against them.
- 4.6 Employees may be required to provide assistance to Rosherville Limited and/or its subsidiaries to deliver services to the public. Any such arrangements will be delivered through a formal agreement; Gravesham Borough Council will continue to be the employing body. Employees must continue to abide by the Code of Conduct of Gravesham Borough Council.

5. **Working with the Public and with Other Staff**

- 5.1 Council staff are responsible to the elected members who represent the local community. The council itself is looking continually to improve its responsiveness to the people of its district and expects its staff to be courteous, efficient, helpful and impartial in their dealings with the public. The council expects its staff to be as open as possible in their dealings. Some information is sensitive and should not be disclosed (see Para. 14 for examples) but your line manager will be the final arbiter.
- 5.2 All employees should ensure that the policies relating to equality issues agreed by the Authority are complied with in addition to the requirements of the law. All members of the local community, customers and other employees have a right to be treated with fairness and equity
- 5.3 It is the responsibility of each employee to create a positive climate in the workplace where individual differences are respected and valued.

5.4 Please ensure that you:

- (a) meet agreed standards of service to the public when dealing with people, in person, by phone, by letter and in their own home.
- (b) are clean neat and appropriately dressed (in council work clothes, if issued).
- (c) identify yourself, when dealing with the public, unless the nature of your work, as agreed by your line manager, makes identification unwise.
- (d) avoid actions in public areas of council offices which may discredit council services.
- (e) comply with the council's policy on smoking.
- (f) disclose any matter it is your duty to report.
- (g) do not discriminate against or harass the people you meet in the course of your work, particularly on grounds of race, sex or disability.
- (h) implement council policy. Never use your work to further the aims of any group whose ideas are in conflict with council policy.
- (i) respect confidential information about members of the public, members of the Council or staff.
- (j) respect other people, their rights and property.

6. Working with Your Managers

Staff are expected to show loyalty to the council and support its managers. A climate of mutual confidence, trust and respect between managers and staff is critical to achieving work targets and providing a high quality service.

6.1 Please ensure that you:

- (a) work reliably and diligently.
- (b) carry out any proper instruction your managers give you, including general instructions like Customer Care Codes of Practice, Standing Orders, Financial Regulations, Contracts Code of Practice, legal requirements, health and safety requirements, Performance Management Framework Branding Guidelines or other codes of conduct and rules that apply in your work place.
- (c) complete accurately and honestly any document, form or record your managers need for work. Never destroy, damage, alter or falsify any such document or record.

7. Working with Your Staff

7.1 The people employed by the council make the difference between success and failure. The council expects managers to provide staff with clear direction, positive motivation and the opportunity to develop their skills.

7.2 Please ensure that you:

- (a) deal with staff fairly and consistently, and provide equal opportunities in your application of the council's personnel policies and procedures.
- (b) Working to the Performance Management Framework standards of work, give feedback and advice to staff on how improvements can be made.
- (c) support and assist staff to carry out their work properly, including help in dealing with customers or other employees.
- (d) train and develop staff to meet the current and future needs of the service (within budgetary limits).

8. Working Safely

8.1 The council is committed to promoting good health, welfare and safe working among its staff. Each employee has an obligation to take reasonable care for his/her own health and safety and for the safety of others who may be affected by his/her acts or omissions. Failure to do so may endanger him/her, the public and other staff.

8.2 Please ensure that you:

- (a) Follow Health and Safety codes and report any damage to council property and anything that might prove a health and safety risk to others.
- (b) comply with hygiene requirements.
- (c) wear any safety clothing supplied by the council.
- (d) report any accidents or near misses you have at work.
- (e) attend any medical examination the council requires.
- (f) never risk injury or danger to yourself or others.
- (g) never do anything that affects your performance or judgement at work including:
 - taking illegal drugs.
 - drinking, where the safety of yourself or others may be affected.
 - drinking enough to affect your performance at work.
 - drinking enough so as to affect the public's perception of yourself or the council. [Please refer to the council's Drugs and Alcohol Policy].

9. **Working Hours and Attendance**

9.1 Poor attendance and bad timekeeping increase costs, reduce service levels and undermine the reputation of the employee and the council.

9.2 **Please ensure that you:**

(a) adhere to the rules of the Flexible Working Hours scheme or the standard hours of:

Monday and Friday	8.45 a.m. – 5.00 p.m.
Tuesday, Wednesday and Thursday [with one hour for lunch each day].	8.45 a.m. – 5.15 p.m.

(b) tell your supervisor if you are not going to be at work e.g. for a doctor's visit.

(c) agree all leave with your manager BEFORE you take any time off.

(d) never claim sick leave when you are not sick.

(e) comply with the council's rules on reporting sickness absence and act sensibly to speed your recovery and return to work.

(f) do nothing which is inconsistent with your illness or injury, or which may delay your recovery or worsen the problem.

10. **Working Honestly**

10.1 Staff must ensure that they use public funds entrusted to them in a responsible and lawful manner. It is a criminal offence for staff to receive or give any gift, reward or advantage for work done in their official capacity. If an allegation is made, the employee must demonstrate that any such rewards have not been corruptly obtained.

10.2 **Please ensure that you:**

(a) avoid corruption and the suspicion of it e.g.

- do not ask for or accept bribes of any sort.
- never seek or take any reward or favour for providing council services or letting a contract other than wages/salary.

(b) comply with Financial Regulations and Standing Orders.

(c) avoid fraud and report any evidence of it you find.

Fraud happens when someone gets some benefit (usually money or property) through deception e.g. an employee commits fraud if s/he:

- gets a car loan from the council and uses the money for another purpose, or buys a car cheaper than the one in the loan agreement.
 - falsifies documents to claim pay, bonus or sick pay to which s/he is not entitled.
- (d) respect council property or equipment. Take care not to waste, lose or damage it.
- (e) never steal, take or make personal use of council property.
- (f) keep personal phone calls to a minimum and reimburse the council on a monthly basis [paying ten pence per phone call].
- (g) get agreement from your manager and pay for any phone calls, faxes or photocopying that cannot be done away from work.
- (h) only use the internet for personal use during your own time in line with the council's internet policy. It should be noted that internet usage is reported on a monthly basis to Management Team and large use of this facility is always investigated and abuse can lead to disciplinary action.
- (f) ensure that you comply with the council's Whistle Blowing Policy.

11. **Accepting Hospitality, Gifts and Tips**

11.1 The council expects staff to be open and responsible in dealing with hospitality and gifts. Your conduct, and what the public believes about your conduct, will affect your reputation and that of the council. Further guidance is given at Appendix 1

11.2 Staff should not accept offers of hospitality unless they can clearly be seen to be in the furtherance of work, for example working lunches where discussions continue from a morning meeting into the afternoon.

11.3 **Please ensure that you:**

- (a) do nothing that could be seen as likely to influence your work and decisions e.g.
- accepting or asking for any gifts of more than token value.
 - putting yourself in debt to someone.
 - accepting unreasonable or undue hospitality from an outside organisation.
- (b) any gifts or hospitality you are offered must be recorded in the Gifts and Hospitality register.
- (c) all members of staff must get the consent of their director or section head to the acceptance of lunch or hospitality.

- (d) where a lunch or hospitality is approved, it should be modest in extent and not be open to accusations of extravagance.

12. Working with Integrity

12.1 The council expects staff to do whatever is needed to protect their own reputation and standing with the public and to build respect for the council. There should be no reason to suspect staff of seeking opportunities for private gain. The relationships that the council has with its partners, contractors, consultants, community groups, suppliers and others, must be managed so that there can be no suspicion of corruption, or dishonesty with public money. See Appendix 1 for further guidance.

12.2 Please ensure that you:

- (a) do whatever is necessary to protect the council's reputation and your own.
- (b) do nothing away from work which might damage public confidence in the council, or make you unsuitable for the work you do.
- (c) are fair and impartial in dealing with all customers, competitors, suppliers, contractors and sub-contractors.
- (d) do not disclose confidential information useful to any of the council's competitors unless required by law.
- (e) report it to the Chief Executive if anyone, with whom you have had dealings in the course of your work for the council, leaves you anything in their will.
- (f) get written permission before you carry out any private work (even if it is unpaid) e.g.
- being a director, agent or professional advisor to a company.
 - supplying goods or services to the council, its competitors, contractors, suppliers, clients or tenants.
 - get permission to use any council equipment at home on personal business.

12.3 Employees must declare to their line manager, any non- financial interests that they consider could bring about conflict with the authority's interests.

12.4 Employees should declare to the Director, Communities, membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct.

13. Reporting Improper Conduct

- 13.1 The council is committed to the highest standards of openness and accountability and it expects staff to raise any reasonable suspicion of improper conduct, fraud or corruption with an appropriate manager.
- 13.2 The council is committed to protecting those who report the misconduct of others. As far as is possible, the council offers to anyone reporting corruption:
- anonymity or confidentiality.
 - support and protection from reprisal.
 - information about any action taken as a result of the report.
- 13.3 Staff can raise any misconduct with their line manager or, if necessary, the Chief Executive.
- 13.4 If someone feels unable to approach their line manager or Chief Executive, then they may raise the matter directly and in confidence with the Human Resources Manager, or the Director, Finance & Environment.
- 13.5 The Chief Executive will take appropriate action if frivolous or malicious allegations are made.

14. Working with Sensitive Information

- 14.1 The council is required to make some information available to members, auditors, government departments, service users and the public. The council expects staff to use sensitive information properly and to have due respect for confidentiality. Information gathered while working for the council should not be used for commercial or personal gain or otherwise misused.
- 14.2 **Please ensure that you:**
- (a) know what information the council treats as confidential.
 - (b) who is entitled to have access to certain information.
 - (c) never discuss or misuse confidential information.
 - (d) are responsible and professional in using and allowing access to personal information on clients, councillors, staff and others.
 - (e) use personal information held on computer in line with the principles of the Data Protection Act. Such information must be:
 - obtained lawfully and fairly.
 - held only for specified and lawful purposes.
 - relevant and just sufficient for those purposes
 - used or disclosed for no other purpose.
 - accurate, up to date and kept only as long as necessary.
 - held securely to prevent unauthorised access or tampering.
 - available for inspection and correction by the person the information is about.

N.B Manual information should be treated in the same way as information held on computer.

- 14.3 Employees are, by virtue of the nature of their duties and the responsibilities arising from them under a special obligation to further the interests of the council. Ownership of any copyright, design right, database or invention made by an employee during the course of his/her normal duties or in the course of duties falling outside his/her normal duties but specifically assigned to him/her will be with the council.
- 14.4 In your dealings with consultants and contractors you should, wherever appropriate, ensure that the council acquires ownership of any database or intellectual property rights produced specifically in connection with work for the council.

15. Working within the Law

- 15.1 The council must carry out its business in a way that is rational, proper and fair. The council cannot do anything without Statutory Authority and without following the relevant procedures.
- 15.2 The council expects staff to work within the law. Unlawful or criminal behaviour at, or even away from work, may result in a loss of trust and confidence in the employee or the council.
- 15.3 **Please ensure that you:**
- (a) uphold the law at work.
 - (b) understand the law relevant to your sphere of work.
 - (c) never break or disregard a law away from work which could damage public confidence in you or the council, or which makes you unsuitable for the work that you do.

16. Working with Councillors

- 16.1 Staff serve the authority as a whole. They serve all members and not just those of any controlling group.
- 16.2 Staff are expected to contribute to proper and effective working relationships with councillors. They must ensure that the rights of councillors are respected and must ensure that they maintain their own political neutrality. Close personal familiarity between individual councillors and officers can damage this relationship and give rise to the appearance of improper conduct.
- 16.3 Please ensure that you:
- (a) are aware of the National Code of Local Government Conduct (which applies to members) in relation to:
 - member involvement in recruitment, discipline and other employment issues.

- relationships with officers.
 - the distinctive roles of members and officers.
 - use of confidential or private information.
- (b) serve all members, not just those of the largest group.
- (c) do not permit your own personal or political opinions to interfere with your work and do not allow your political neutrality to be compromised.
- (d) do nothing that might embarrass others or damage your relationship with members.
- (e) deal with member enquiries efficiently.
- (f) avoid close personal familiarity with members.
- (g) disclose to the Chief Executive, any family, business or personal relationships with members where this may put you in a position to exercise improper influence over the workings of the council.
- (h) report to the Chief Executive any time a member asks or pressures you to deal with a matter outside of council procedure or policy.
- (i) do not seek to influence members prior to any appointment.
- (j) do not take up any work problems or personal problems you have with managers, with members.
- (k) report any claims or allegations about other staff to an appropriate manager and not directly to members.
- (l) respect any confidence received from a Councillor.

17. Managing Contact with the Media

17.1 The council expects staff to promote the policies and reputation of the council. Each department will set guidelines which will identify staff authorised to talk to the media. Employees who are not authorised to deal with representatives of the media should refer any enquiries they receive to their line manager or to the Communications Section.

17.2 **Please ensure that you:**

- (a) are aware of departmental guidelines and refer enquiries from the press to the appropriate person.
- (b) get permission from the Chief Executive to speak, write or give interviews to the media about:
- the council.
 - your work.

- other issues where your connection with the council may damage its reputation.
- (c) never bring the council into disrepute by publicising material which is confidential, or against the interests of the council or its employees.
- (d) Anonymous stories to the press will always be investigated and disciplinary action taken if the stories are malicious or intended to harm the reputation of the council.
- (e) An employee who speaks as a private individual direct to the press, or at a public meeting, or where their remarks may be reported to the press, should ensure that nothing they say might lead the public to think they are acting in their capacity as a Gravesham Borough Council employee. Where employees are speaking on behalf of a recognised trade union, this must be made clear.

18. Working within the Code

- 18.1 The council undertakes to apply this code of conduct consistently and fairly. The code is a public document and is distributed to all staff. Any breach of the Code may result in disciplinary action. Some breaches (known as gross misconduct) would be serious enough to justify the council in dismissing staff for a first offence, and without notice.
- 18.2 Examples of gross misconduct can be found in the Disciplinary Policy or on the council Intranet.