

Part 5.2 - Code of Conduct for Officers

Introduction

The people of the Authority's Area are entitled to expect high standards of conduct from our employees. We want you to know the rules which apply to you and to give you guidance to help you keep to them. Your service area may have other rules or statutory codes of professional behaviour and we will bring these to your attention.

The code sets out the minimum standards we expect of you and provides a framework which will help to prevent misunderstandings or criticism. All employees of the Authority must keep to the standards of this code and carry out their duties honestly and fairly. If you do not do this, it is a serious matter and could result in disciplinary action up to and including dismissal.

Please read the Code carefully. If you have any queries, ask your manager or supervisor. If you need a copy of one of the Forms CCE.1 - 8 referred to in this Code, please ask your manager or supervisor. The forms explain where you should send them.

We approve the ***seven principles of public life*** as outlined by the Committee on Standards in Public Life chaired by Lord Nolan. These principles are selflessness, integrity, objectivity, accountability, openness, honesty and leadership. You can find details of these principles below.

The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, NDPBs, and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources.

The principles also have application to all those in other sectors delivering public services.

Selflessness

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

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.

Objectivity

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

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.

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.

Honesty

Holders of public office should be truthful.

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.

1. Standards

- a We expect you to give the highest possible standard of service to the people of the Authority's area and to carry out your duties honestly and fairly.
- b If you become aware of anything illegal, improper or a breach of procedure, you must report it to your manager or supervisor, or, if you prefer, to the Monitoring Officer. You will not be penalised for doing this as long as you act in good faith. Managers must record, investigate and take appropriate action on your reports.
- c It is not enough to avoid doing wrong. You should also avoid anything which could give the impression or appearance of doing wrong.

2. Disclosing information

- a The law says certain types of information must be open to Members (which term shall, in this Code, include the Mayor or), auditors, government departments, service users and the public. If you do not know whether you can release any particular information, always check with your manager first.
- b You must not use any information you get in the course of your duties for personal gain or benefit. You must not pass information on to others who might use it for their own gain.
- c You can only give confidential information or documents to those who have a legitimate right to them. You can only give personal information according to the requirements of the UK GDPR and the Data Protection Act 2018 (see appendix A). If your post is below Director or Head of Service level, you should not make statements directly to the press or other media without first getting approval from your Director or Head of Service. (If you are a trade union representative, you can contact the media in that role.) Directors or Heads of Service should speak to the relevant Cabinet Member before making statements to the press or other media on major policy issues. When we refer to Directors or Heads of Service in this paragraph, it also includes other officers authorised by the Director to act for them.
- d You must not pass on information which is personal to a Member without the Member's permission unless the law allows this.

3. Political Neutrality

- a You will serve the Authority as a whole. You must serve Members equally and make sure that you respect their individual rights.

- b You do not have to go to meetings of political groups. However, we may ask senior officers to do this. If you agree, you must act in a way which shows you are neutral.
- c You cannot allow your own political opinions to interfere with your work.
- d You may not display political posters, including election material, in areas of Authority buildings or in council vehicles.

4. Relationships

a With Members

Employees and Members must respect one another.

If you think that a Member has not acted in a proper way towards you, you may report the matter to your Director or Head of Service who may deal with the matter in accordance with the arrangements at Part 5.1 of the Authority's Constitution.

b With the local community and service users

A commitment to customer care is central to the services delivered by the Authority. As an employee you must always be polite, efficient, fair and impartial when you provide services to all groups and individuals within the community you serve.

c With contractors and suppliers

You must tell your Director or Head of Service about any close association or personal relationship which you have with the Authority's contractors or suppliers. You must fill in form CCE.1 to do this. You must award contracts according to our financial regulations and not show special favour to anyone.

A personal relationship covers: your partner (i.e. your spouse, civil partner or anyone whom you live with, in a similar capacity); your parent or parent-in-law; any child, stepchild or sibling of you or your partner; your grandparent, grandchild, aunt, uncle, nephew or niece; and the partners of any of those people.

You have a 'close association' with someone if your relationship is such that a reasonable member of the public might think you would be prepared to favour or disadvantage that person when deciding or influencing a matter which affects them.

5. Recruitment and other employment matters

- a If you are involved in appointing people to posts in the Authority, you should make sure that you follow our Code of Practice on Recruitment and Selection and/or guidance on managing re-organisations.
- b So that you are never accused of bias, you must not be involved in any appointment where you are related to, or have a close personal relationship outside work with, the person applying or selected for a post.

- c You must use form CCE.2 to tell your Director or Head of Service about any relationship between you and any person you know is applying to us for a job.
- d You must not be involved in, or try to influence, any decision to do with discipline, promotion or pay adjustments for any employee who is related to you or with whom you have a close personal relationship outside work.

6. Commitments outside work

- a What you do in your own time is your business so long as you do not
 - put your private interests before your duty to the Authority;
 - put yourself in a position where your duty and private interests conflict or could appear to conflict; or
 - do anything which could harm the Authority's reputation.
- b You must not carry out any other business or take up any additional appointment while employed by us without our prior permission. (If you want permission, fill in form CCE.3.) We will not unreasonably prevent you carrying out other employment and will actively support and encourage voluntary work. However, this employment or voluntary work must not, in our view, conflict with our interests and we will lay down conditions for you. You must indicate on form CCE.3 membership of charitable or voluntary organisations you are involved with, such as Rotary or Lions clubs or the Freemasons. Any disputes regarding this matter should be resolved via the Authority's grievance process.
- c The following conditions apply to all employees in connection with commitments outside work. We will tell you about any other specific conditions relating to you depending on your circumstances.
 - You must not carry out private work (whether paid or unpaid) relating to or in potential conflict with the Authority without prior permission from your Director or Head of Service.
 - You must not carry out any work related to a private interest (including taking or making phone calls or sending/accessing emails or using other social media or telephony) during normal working hours without clocking out.
 - You must not use our facilities or equipment or confidential information.
 - We will review all our approvals and may withdraw our approval if we think it necessary.

7. Personal interests

- a If you have a financial or non-financial interest which could conflict with our interests, you must declare this on form CCE.4.
- b Section 117 of the Local Government Act 1972 (see appendix B) says you must make a formal declaration about Authority contracts where you have a financial

interest. If you do not do this, it is a criminal offence. You should make the declaration on form CCE.5.

- c You may not make decisions in the course of your official duties if you have a personal interest in them.
- D If you belong to an organisation which is not open to the public and does not have formal membership and which has secrecy about rules, membership or conduct, you must tell us on form CCE.6. A definition of such an organisation appears at appendix C.

8. Equality

All members of the local community and our employees have a right to be treated fairly and equally.

9. Tendering procedures

- a If you are involved in the tendering process or dealing with contractors, you should make sure that you know the separate roles of client and contractor.
- B If you have access to confidential information on tenders or costs relating to contractors, you must not give it to any unauthorised person or organisation.

10. Corruption

The Bribery Act 2010 makes it a serious criminal offence for you, in your official capacity, to corruptly receive or give any gift, loan, fee, reward or advantage or to show favour or disfavour to any person. If an allegation is made, you must prove that any rewards have not been corruptly gained or given. A summary of the legal provisions appears in appendix D.

11. Financial Regulations

- A If you are involved in financial activities and transactions for us, you must follow our financial regulations and their accompanying guidelines. The Financial Regulations can be found at Part 4 of the Authority's Constitution.
- b You must use public funds in a responsible and legal way and try to make sure you provide value for money to the local community and to avoid legal challenges to us.

12. Gifts and other benefits

- a If you are offered gifts or other benefits (or your partner or family members are offered gifts) arising from your official duties, this could cause a conflict between your private and public duties.
- B You must not accept any gift or other benefit offered to you, or your partner or a family member, by:
 - any person you have provided services to in the course of your official duties or their partner or a family member;
 - any person associated with an organisation which has, or wishes to have, dealings with us.

You must declare any offer on form CCE.7 and say what action you have taken. The only exception to this rule is where the gift is of token value up to a maximum of £25.

- C Because offering gifts is common practice in the business world particularly at Christmas time, you should refuse them politely. If, for example, a gift is simply delivered to your place of work, there may be a problem returning it, in which case, you should report this to your Director or Head of Service or the Monitoring Officer, who will decide what to do.
- D If you or your partner or a family member have been made a beneficiary in the will of a service user or former service user, you must immediately tell your Director or Head of Service, who will decide on the appropriate action.
- E You, your partner and any member of your family cannot borrow money or other property from a client you provide services to. You cannot act as executor of a client's will.

13. Hospitality

- a. A modest amount of entertainment is a normal part of public life, but you must not risk undermining public confidence or allow it to appear that you could be improperly influenced in the way you carry out your duties. Hospitality may sometimes be offered to representatives of the Authority and can be accepted at official level if that is reasonable. In these cases, only Directors (or those acting for them) should go.
- b. You must be particularly careful if you are offered hospitality by someone who wants to do business with us or to get a decision from us. It is important to avoid any suggestion of improper influence. You should accept an offer of hospitality only if you genuinely need to go to an event to receive or give information or represent the Authority. You should only accept offers to go to social, cultural entertainment or sporting occasions if these are part of the life of the community or we should be seen to be represented.
- c. If you turn down hospitality you should do this politely and explain our rules on hospitality.
- d. You must use form CCE.8 to obtain your Director's approval before accepting offers of hospitality. This is not required if the hospitality is of token value (e.g. the offer of a single drink). The Head of Paid Service and Directors are not required to obtain prior authorisation but must nonetheless declare acceptance of hospitality in the normal manner.

14. Retention and access to declarations

- a) Declarations made on forms CCE 1 - 8 are subject to the retention periods and access categories set out in Appendix E. The access categories are explained below.

b) Public Access

Relationship with external contractor or supplier	CCE 1
Financial Interest in Authority Contract	CCE 5

Offers of Gifts CCE 7

Offers of Hospitality CCE 8

These are situations that can raise particular public concerns and the public interest in being able to see that appropriate declarations are made and the extent to which employees have such relationships (or have been offered gifts or hospitality) overrides the need to protect the personal privacy of employees.

Public access is therefore permitted to the above declarations.

c) Internal Access

Relationship with candidate for appointment within the Authority CCE 2

Approval of outside interests or employment CCE 3

Declaration for outside interests or employment CCE 4

These relate primarily to personal interests of employees and in order to maintain a balance between public interest and privacy issues these declarations are subject to internal access only by Members, Officers and the Authority's current external auditor.

d) Monitoring Officer Control

Membership of secret societies or organisations CCE 6

Membership of these organisations is not unlawful. Disclosure is required so that the Authority can satisfy itself on matters of propriety which may arise in connection with such organisations. Access is controlled by the Monitoring Officer where he or she is satisfied that there are reasonable grounds for access in connection with investigations of a complaint or other legitimate concerns.

Appendix A

DATA PROTECTION ACT 1998

The UK GDPR and Data Protection Act 2018 aim to protect the public from people not using their personal information correctly. The Information Commissioner oversees the Act but it is up to us and our staff to make sure we keep to the conditions of the Act. Personal data can be any information that identifies a person, such as their name or address. Information can relate to their home, work or personal life. It can also include other information such as social care information.

All organisations have to follow a set of six principles as part of GDPR. We use these principles when dealing with personal information.

The six principles ensure information is:

- processed lawfully, fairly and in a transparent manner in relation to individuals;
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and, where necessary, kept up to date;
- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

If you are going to give personal information to someone else, you must make sure that you do this according to the requirements of the GDPR and the Act. . If you are in any doubt about the requirements of the Act, advice is available from the Authority's Data Protection Officer.

Appendix B

LOCAL GOVERNMENT ACT 1972 - SECTION 117

- 1 If you become aware that you have a direct or indirect financial interest in a contract which the Authority has entered into or intends to enter into, you must tell us immediately.
- 2 You must not accept any fee or reward other than your normal salary.
- 3 If you break either of the conditions shown above, you can be prosecuted and fined. (The maximum fine is level 4 on the standard scale.)

Appendix C

ORGANISATIONS TO WHICH PARAGRAPH 7D OF THE CODE APPLIES

Any lodge, chapter, society, trust or regular gathering or meeting, which:

- a is not open to members of the public who are not members of that group;
- b includes an obligation on the part of the member to make a commitment of allegiance to the lodge, chapter, society or gathering or meeting; and
- c includes a commitment of secrecy about the rules, membership or how the lodge, chapter, society, trust, gathering or meeting carries out its business.

We do not consider a lodge, chapter, society, trust, gathering or meeting as a secret society if it forms part of a generally recognised religion.

Appendix D

THE BRIBERY ACT 2010

Under the Bribery Act 2010, it is an offence for you to:-

1. Bribe another person
2. Be bribed
3. Bribe a foreign public official

There is also a 'corporate offence' of failing to prevent bribery. Under this, the Authority will be guilty of an offence if an "associated person" bribes someone else intending to obtain or retain business, or a business advantage, for the Authority. "Associated persons" may include employees, agents and subsidiaries.

Appendix E

Declaration	Disclosure	Retention	Access
CCE1 Relationship with external contractor or supplier	Director or Head of Service (who will send a copy to the Monitoring Officer)	Monitoring Officer's Office Kept for 3 years after end of employment	Public Access
CCE2 Relationship with candidate for employment with Authority	Head of Paid Service (who will send a copy to the Monitoring Officer)	Head of Paid Service's Office Kept for 3 years	Internal Access
CCE3 Approval for outside interests of employment	Director or Head of Service	Director's or Head of Service's Office Kept for 3 years after end of employment	Internal Access
CCE4 Declaration of Personal Interests	Director or Head of Service	Director's or Head of Service's Office Kept for 3 years after end of employment	Internal Access
CCE5 Financial Interest in Authority contract	Monitoring Officer	Monitoring Officer's Office Kept indefinitely	Public Access
CCE6 Membership of Secret Societies or Organisations	Monitoring Officer	Monitoring Officer's Office Kept for 3 years after end of employment	Monitoring Officer Control
CCE7 Offers of Gifts	Director or Monitoring Officer (in the case of Directors and Head of Paid Service)	Director's or Monitoring Officer's office (in the case of Directors and Head of Paid Service) Kept for 3 years	Public Access
CCE8 Offers of Hospitality	Director or Monitoring Officer (in the case of Directors and Head of Paid Service)	Director's or Monitoring Officer's office (in the case of Directors and Head of Paid Service) Kept for 3 years	Public Access

CCE.1

Relationship with external contractor or supplier

Employee's Full Name.....

Job Title..... **Grade**

Service Area.....

As required in paragraph 4c of the Authority's Code of Conduct for Employees*, I give details below of my relationship with an external contractor or supplier

Name and Address of Contractor/Supplier.....

.....

.....

Nature of Relationship

.....

.....

Signature **Date**.....

Please send the completed form to your Director or Head of Service (who must copy it to the Monitoring Officer)

Received by Director/Head of Service..... **Date**.....

Comment if applicable

.....

*Paragraph 4c of the Code (Contractors and Suppliers) says that:

"You must tell your Director/Head of Service about any close association or personal relationship which you have with the Authority's contractors or suppliers. You must fill in form CCE.1 to do this. You must award contracts according to our financial regulations and not show special favour to anyone.

A personal relationship covers: your partner (i.e. your spouse, civil partner or anyone whom you live with, in a similar capacity); your parent or parent-in-law; any child, stepchild or sibling of you or your partner; your grandparent, grandchild, aunt, uncle, nephew or niece; and the partners of any of those people.

You have a 'close association' with someone if your relationship is such that a reasonable member of the public might think you would be prepared to favour or disadvantage that person when deciding or influencing a matter which affects them."

Issue date: 7 May 2024

Relationship with candidate for appointment with the Authority

Employee’s Full Name

Job Title**Grade**

Service Area

As required in paragraph 5c of the Authority’s Code of Conduct for Employees*, I give below details of my relationship with a candidate for appointment to a post with the Authority

Name and Address of Candidate

.....

.....

Post Applied for

Nature of Relationship

Signature **Date**.....

Please send the completed form to your Director/Head of Service (who must copy it to the Head of Human Resources)

Received by Director/Head of Service..... **Date**

Copied and sent to Mayoral Office on (date)

*Paragraph 5c of the Code (Recruitment and other employment matters) says that:

“You must use form CCE.2 to tell your Director/Head of Service about any relationship between you and any person you know is applying to us for a job.”

CCE.3

Approval for outside interests or employment

Employee's Full Name

Job Title..... **Grade**.....

Service Area

Description of Outside Interest/Employment/Directorships:

.....
Does it involve any Remuneration, Fee or Reward? (If so, give details)

.....
What is the commitment attached to these interests/employment?

.....
Geographical Location of Activities:

Details of Personal Involvement:

.....
Do the activities involve any contact with the Authority or any local authority? (If so, give details):

.....
In accordance with paragraph 6b of the Code of Conduct for Employees* , I wish to seek approval for my involvement in the activity outlined above and have discussed the above detail with my line manager. This form is not required for employees engaged in unpaid voluntary work.

Signature **Date**

Please send the completed form to your Director/Head of Service

Approved by Director/Head of Service..... **Date**

*Paragraph 6b (Commitments outside work) says that:

“You must not carry out any other business or take up any additional appointment while employed by us without our prior permission. (If you want permission, fill in form CCE.3.) We will not unreasonably prevent you carrying out other employment and will actively support and encourage voluntary work. However, this employment or voluntary work must not, in our view, conflict with our interests and we will lay down conditions for you. You must indicate on form CCE.3 membership of charitable or voluntary organisations you are involved with, such as Rotary or Lions clubs or the Freemasons. Any disputes regarding this matter should be resolved via the Authority’s grievance process.”

CCE.4

Declaration of Personal Interests

Employee's Full Name.....

Job Title**Grade**

Service Area

As required in paragraph 7a of the Authority's Code of Conduct for Employees*, I give below details of my personal interests which may conflict with the Authority's interests:

Details of Personal Interests:

.....
.....
.....
.....
.....
.....

The interests are financial/non-financial (*Delete as appropriate*)

Signed **Date**

Please send the completed form to your Director/Head of Service

Received by Director/Head of Service **Date**.....

*Paragraph 7a (Personal interests) says that:

"If you have a financial or non-financial interest which could conflict with our interests, you must declare this on form CCE.4."

CCE.5

Financial Interest in Authority Contract

Employee's Full Name.....

Job Title**Grade**

Service Area

As required in section 117 of the Local Government Act 1972 and paragraph 7a of the Authority's Code of Conduct for Employees*, I give below details of my interest in a contract involving the Authority:

Details of Financial Interest:

.....

.....

Details of Contract Involved:

.....

.....

Signed **Date**

Please send the completed form to the Monitoring Officer

Received by Monitoring Officer **Date**

*Paragraph 7b (Personal interests) says that:

"Section 117 of the Local Government Act 1972 (see appendix B) says that you must make a formal declaration about Authority contracts where you have a financial interest. If you do not do this, it is a criminal offence. You should make the declaration on form CCE.5."

CCE.6

Membership of Secret Societies or Organisations

Employee's Full Name.....

Job Title**Grade**

Service Area

As required in paragraph 7d of the Authority's Code of Conduct for Employees*, I declare that I am a member of the following society/organisation/s:

Name of society/organisation/s:

.....

.....

Date of Becoming a Member:

Signed **Date**

Please send the completed form to the Monitoring Officer

Received by Monitoring Officer Date

*Paragraph 7d (Personal interests) says that:

"If you belong to an organisation which is not open to the public and does not have formal membership and which has secrecy about rules, membership or conduct, you must tell us on form CCE.6. A definition of such an organisation appears at appendix C."

CCE.7

Offers of Gifts

Employee's Full Name.....

Job Title**Grade**

Service Area

As required in paragraph 12 of the Authority's Code of Conduct for Employees*, I give details of an offer of a gift or other benefit:

Details of Gifts Offered:

.....

Date Offer Made:..... **I have accepted the offer (YES or NO?)**

Name and Address of Person Making Offer:

.....

.....

Signed **Date**

Please send the completed form to your Director/Head of Service (or in the case of Directors or Head of Paid Service, to Monitoring Officer)

Received by Director/Head of Service**Date**

*Paragraph 12 (Gifts and other benefits) says that:

"You must not accept any gift or other benefit offered to you, or your partner or a family member, by:

- any person you have provided services to in the course of your official duties or their partner or a family member;
- any person associated with an organisation which has, or wishes to have, dealings with us.

You must declare any offer on Form CCE.7 and say what action you have taken. The only exception to this rule is where the gift is of token value up to a maximum of £25."

CCE.8

Offers of Hospitality

Employee's Full Name.....

Job Title..... **Grade**

Service Area

As required in paragraph 13 of the Authority's Code of Conduct for Employees*, I give details of an offer of a gift, other benefit or hospitality:

Details of hospitality Offered:

.....

Date offer made:

Name and Address of person making offer:

.....

Reasons for proposing to accept the offer:

.....

Signed **Date**

Please send the completed form to your Director/Head of Service (or in the case of the Head of Paid Service or Directors/Head of Service, to the Monitoring Officer)

***Director's/Head of Service Authorisation** **Date**

- **Approval required prior to acceptance for all employees except the Head of Paid Service and Directors**

*Paragraph 13 (Hospitality) says that:

"You must use form CCE.8 to obtain your Director's/Head of Service approval before accepting offers of hospitality. This is not required if the hospitality is of token value (e.g. the offer of a single drink). The Head of Paid Service and Directors are not required to obtain prior authorisation but must nonetheless declare acceptance of hospitality in the normal manner."