



# CODE OF CONDUCT POLICY

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## ABSTRACT

This Code of Conduct Policy sets out the standards expected from all employees with a framework and guidance to follow

Ian Morris, Town Clerk

Please think before printing this document.

Where printing is necessary, please ensure that it is printed double sided and in greyscale.

## Contents

<b>1</b>	<b>Introduction</b>	<b>2</b>
1.1	What is the Code about?	2
1.2	Who does the policy and procedure apply to?	2
1.3	Responsibilities	2
1.4	Monitoring	2
1.5	Publicising/distribution of the Code	2
1.6	Reviewing the Code	2
<b>2</b>	<b>Principles</b>	<b>3</b>
2.1	When working on behalf of Peterlee Town Council, you must:	3
<b>3</b>	<b>Declaration forms</b>	<b>4</b>
<b>4</b>	<b>Procedure</b>	<b>4</b>
4.1	Personal conduct	4
4.2	Protecting confidential information	5
4.3	Internet and social networking	6
4.4	Political neutrality	6
4.5	Working with councillors	7
4.6	Working with the public, service users and colleagues	7
4.7	Criminal convictions/loss of licence or qualification	8
4.8	Gifts and hospitality	8
4.9	Handling Council money or sponsorship	9
4.10	Procurement, administering or managing Council contracts	10
4.11	Intellectual property	11
4.12	Recruitment and other employment matters	11
4.13	Commitments outside work	11
4.14	Personal interests	12
4.15	Using Council equipment, materials and property	12
4.16	Reporting improper or illegal activities	13
<b>5</b>	<b>Further information</b>	<b>13</b>
5.1	Confidentiality	13
5.2	Dealing with abuses of the Code	13
5.3	Monitoring compliance	13
5.4	Equality and diversity	14
<b>6</b>	<b>Contact details</b>	<b>14</b>

# **1 Introduction**

## **1.1 What is the Code about?**

Peterlee Town Council expects high standards of conduct from its employees. This document sets out the minimum standards we expect of you and provides a framework to help you understand the protocols which apply to you and gives guidance to help you comply with them.

All employees of Peterlee Town Council must maintain the standards and integrity of this Code and carry out their duties honestly and fairly.

## **1.2 Who does the policy and procedure apply to?**

This Code covers all employees of Peterlee Town Council. Where applicable this Code will also apply to agency workers, contractors, consultants or third parties providing work or services for, or on behalf of, the Council.

## **1.3 Responsibilities**

All employees of the Council have a responsibility to ensure they comply with this Code along with any other policies or procedures referred to in this document. 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 councillors and fellow employees with impartiality.

## **1.4 Monitoring**

All information will be handled sensitively and used only for its proper purpose. However, confidentiality cannot be guaranteed as information might have to be disclosed where an issue results in formal proceedings.

## **1.5 Publicising/distribution of the Code**

A copy of this Code is available from your manager and copy can also be viewed on cloud storage.

New employees will be informed of the existence of this Code in recruitment and induction information.

## **1.6 Reviewing the Code**

The operation of this Code will be kept under review and such changes will be made to the Code as deemed appropriate and in accordance with agreed consultation protocols.

## 2 Principles

This Code meets the recommendations of the Nolan Committee's Standards in Public Life, establishing the Seven Principles of Public Life, which are:

- **Selflessness** - You must act solely in terms of the public interest and not in order to gain financial or other material benefits for yourself, family, or friends.
- **Integrity** - You should not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- **Objectivity** - You must make choices on merit when making decisions on appointments, contracts, or recommending rewards and benefits for individuals.
- **Accountability** - You are accountable for your decisions and actions to the public and you must submit yourself to whatever scrutiny is appropriate.
- **Openness** - You should be as open as possible about all the decisions and actions that you take. You should give reasons for your decisions and restrict information only when the wider public interest clearly demands.
- **Honesty** - You have a duty to declare any private interests relating to your work and you need to take steps to resolve any conflicts arising in a way that protects the public interest.
- **Leadership** - You should promote and support these principles by leadership and example.

### 2.1 When working on behalf of Peterlee Town Council, you must:

- Act in the interests of the Council when carrying out your duties, and in accordance with the principles of public life of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- Comply with the service requirements, policies and standards, legislation and other professional standards which apply to your role.
- Declare to the Town Clerk (or in the case of the Town Clerk to the personnel committee) any potential or actual conflicts of interest or relationships that may impact on your work, or that of the Council.
- Report any concerns or breaches of this Code, or any other Council policies, to your manager.
- Ask your manager if you are unsure what is required of you.

### 3 Declaration forms

Declaration forms (CCE1 – CCE4) are to be completed as detailed in this Code. All declaration forms are available from the cloud based storage will be held by the Town Clerk (or nominated representative) to be stored onto a central register. A copy of the completed declaration form will also be placed on an employee’s personal file. All forms will be acknowledged and recorded whether approved or declined. The forms must be completed in full.

Form CCE1	Declaration of Relationships with External Contractor or Supplier
Form CCE2	Declaration of Personal Interests
Form CCE3	Request for Approval to Undertake Outside Work
Form CCE4	Declaration of Offers of Hospitality/Gifts

### 4 Procedure

#### 4.1 Personal conduct

As an employee and representative of the Council, you are expected to conduct yourself to the highest standards and act with honesty, integrity and professionalism.

**You must:**

- Carry out the full requirements of your role, as detailed in your contract of employment (statement of particulars), job description and Council policies and procedures.
- Attend work in accordance with the terms of your contract of employment (statement of particulars) and comply with the Council’s Attendance Management Policy and Procedure.
- Act in an appropriate manner in any situation where you can be readily identified as a Council employee, whether at work or otherwise.
- Maintain acceptable standards of appearance and personal hygiene.
- Wear, and maintain in a reasonable condition, Council uniform, clothing and personal protective equipment, if provided to you.
- Report any shortfalls in the provision of Council services to your manager.
- Report any concerns / allegations / suspicions of fraud, corruption, bribery, theft or other irregularity, as a matter of urgency, to your manager.

- Keep relationships with councillors, employees, contractors or partners, potential contractors or service users, on a professional basis.

**You must not:**

- Engage in any conduct or behaviour that is harmful to the reputation of the Council, its services or interests, or conduct which brings the Council into disrepute, even when outside of work.
- Be under the influence of alcohol or unprescribed drugs so as to adversely affect your work.
- Misuse your official position or seek to use information obtained in the course of your work, for personal interests or the interests of others.
- Criticise the Council either through media, social media, verbal or written communication.

## **4.2 Protecting confidential information**

Maintaining confidentiality of sensitive information is essential. Information must only be disclosed in accordance with the Data Protection Act 1998 which covers manual and computerised information, including emails.

**You must:**

- Obtain manager approval prior to taking any paper records/hard copy material off site which contain personal or confidential information.
- Report any suspected data losses or security breaches immediately to your manager and to the Town Clerk.
- Label and store information documents to allow access to authorised users and restrict unauthorised users;
- Refer any media or press enquiries to the Town Clerk immediately and follow his instructions.
- Check with your manager if you are in doubt about whether you can provide information to a third party.

**You must not:**

- Disclose your computer password / login details to anyone.
- Use information or facilities provided, for unauthorised personal use, improper or commercial gain, or for fraudulent or malicious activities.
- Compromise the security of Council information, for example by installing unauthorised software, inappropriately securing information or interfering with standard security settings.

- Disclose any confidential information relating to the Council, service users, employees or anyone else who has contact with the Council, either whilst at work or outside of work, unless you have express permission to do so.
- Release any information relating to an employee's private affairs unless their consent has first been obtained, unless there is a statutory duty on the Council to provide this information.

### **4.3 Internet and social networking**

Internet access for personal use is at the Council's discretion and must not affect an employee's performance or productivity at work.

The Council may monitor the use of the internet for legitimate business reasons, including compliance with this Code. By using the internet employees are deemed to have consented to the monitoring, recording and auditing of internet use.

**You must:**

- Make it clear when posting information or comments on social networking sites that any personal views expressed do not represent those of Peterlee Town Council.
- Inform your manager immediately if you have acted inappropriately when using social media, even if the mistake has since been resolved.
- Report to your manager any instances where you believe another employee has posted inappropriate or offensive comments on social networking sites.

**You must not:**

- Post information on social networking sites which is confidential to the Council, its suppliers, customers or contractors.
- Post entries on social networking sites about work colleagues, customers or any other person linked to the Council which are derogatory, defamatory, discriminatory or offensive in any way or which could bring the Council into disrepute.

### **4.4 Political neutrality**

Employees of the Council are required to work with all councillors, not just those of the majority group.

**You must:**

- Remain politically neutral and objective in your work role.

**You must not:**

- Allow your personal or political opinions to interfere with your work.
- Display political posters, including election material, in Council buildings or areas.

Certain posts within the Council are deemed to be 'politically restricted' due to the nature of the job. Your job description will state whether your post is politically restricted. If you hold a politically restricted post **you must not:**

- Stand as a candidate for public elected office for another Parish or Town Council.
- Hold office in a political party.
- Canvass at elections or act as an election agent or sub-agent for a candidate for election.
- Speak or write publicly, demonstrating support for a political party.

## **4.5 Working with councillors**

Mutual respect, trust and courtesy between employees and councillors is essential to good local government.

**You must:**

- Give appropriate and impartial advice to councillors when requested.
- Ensure working relationships are kept on a professional basis.
- Speak to your manager if you are unsure what information you are able to provide to councillors.

**You must not:**

- Form close personal relationships with councillors which could damage your working relationship.

## **4.6 Working with the public, service users and colleagues**

**You must:**

- Be polite, courteous and helpful when dealing with all members of the local community, customers, councillors and fellow employees.
- Treat all groups and individuals with respect, value their opinions and beliefs and behave in an appropriate manner.

- Keep all service users' money, personal records, information and correspondence secure in accordance with the Council procedures, and the Data Protection Act 2018.
- Advise your manager if you have any concerns about the standard of service being provided to service user.

**You must not:**

- Discriminate unfairly in the provision of facilities, services, employment practices or any other area of Council duties.
- Form inappropriate close personal relationships with service users, their relatives or carers.
- Give any service information to anyone except those authorised to receive it.

#### **4.7 Criminal convictions/loss of licence or qualification**

You must inform your manager immediately if you:

- Receive any criminal conviction, caution or are held on bail, or placed under bond during your employment with the Council, either within or outside of your normal working hours.
- Receive any driving convictions that result in the loss of your driving licence.
- Have engaged in behaviour that has resulted in loss of licence, affiliation, accreditation or qualification that may impact on your ability to carry out the duties of your contracted role.

However, 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 the Town Clerk (or nominated representative). All information you provide in this regard will be dealt with in strict confidence.

#### **4.8 Gifts and hospitality**

Gifts, hospitality or benefits in kind offered to you must be treated with caution in order to avoid any suggestion of improper motives or conduct.

It is a serious criminal offence under the Bribery Act 2010 to corruptly receive or give any gift, loan, fee, reward or advantage for doing, or neglecting to do something, or showing favour or disfavour to any person in your official capacity. If an allegation is made against you, it will be for you to demonstrate that any such rewards have not been corruptly obtained. Offences can carry a maximum of 10 years imprisonment and/or an unlimited fine for an individual. For the avoidance of doubt, you must:

- Complete form CCE4 to seek approval from the Town Clerk (or in the case of the Town Clerk from the personnel committee) if you are offered any gifts, hospitality or advantage, other than token gifts of a nominal value before you accept such items.
- Use tact and courtesy if you need to refuse a gift or hospitality.
- Report to your manager any gifts which are delivered to your place of work where you may have a problem returning it.
- Under no circumstances should gifts or hospitality be accepted that include attendance at sporting events.
- Report to the Town Clerk (or nominated representative) any approaches made to you which could be viewed as being aimed at obtaining some form of preferential treatment.

In order to protect the Council and its employees from any suggestion of improper motives or conduct, members of staff and their families are not allowed to accept gifts or legacies from current or former clients.

**If you are unclear what is acceptable, ask your manager.**

#### **4.9 Handling Council money or sponsorship**

Sponsorship is defined as ‘an agreement between the Council and the sponsor, where the Council receives either money or a benefit in kind for an event, campaign or initiative from an organisation or individual which in turn gains publicity or other benefits.’

Peterlee Town Council is a publicly funded organisation and as such, all employees who are authorised to be involved in financial activities and transactions on behalf of the Council must be familiar with its Financial Procedure Rules and Financial Management Standards.

**If this applies to you, you must:**

- Use authorised Council funds in a responsible, accountable and lawful way.
- Comply with the Council’s financial regulations and take legal and financial advice where appropriate.
- Seek value for money.
- Comply with relevant policies and procedures when handling money.
- Make sure that any sponsorship accepted is related to Council business and is approved by the Town Clerk (or in the case of the Town Clerk from the personnel committee).
- Disclose any benefit you yourself, partners, relations or close friends relating to any sponsorship the Council proposes to make.

- If you suspect financial irregularity, bribery, corruption, theft or fraud, contact your manager in the first instance. If for any reason this is not appropriate you should contact the Town Clerk (or nominated representative).

**You must not:**

- Benefit from any contract or sponsorship that is given to or by the Council, or show any favour to a partner, spouse, relative, friend or associate.

#### **4.10 Procurement, administering or managing Council contracts**

Section 117 of the Local Government Act 1972 requires you to make a formal declaration about contracts in which you have a financial interest. It is a criminal offence to fail to comply with this.

Where your role involves procuring, managing or administering Council contracts or you have any other professional or personal relationship with contractors:

**You must:**

- Comply with the Financial Management Standards and any other relevant Council procedures of orders and contracts,
- Exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- Declare any current or previous private or personal relationships with contractors, sub-contractors or suppliers by completing form CCE1.

**You must not:**

- Discriminate unfairly against anyone involved in the tendering and contracting process.
- Disclose any confidential information relating to tenders or costs for internal or external tenders to any unauthorised person.
- Use your influence or show any special favour to current or former employees or their partners, close relatives or associates when awarding contracts to businesses relating to them or employing them in any capacity.
- Play any part in the selection of tenderers if you have any direct or indirect interest in the outcome.

## **4.11 Intellectual property**

Some aspects of the work you carry out, or produce, on behalf of the Council may be intellectual property. All creative designs, writings, reports, drawings and inventions produced by employees in the course of their duties are the property of the Council.

### **You must not:**

- Disclose, publish or otherwise use the work you produce for the Council for personal gain or benefit unless you have the express written permission of the Town Clerk (or in the case of the Town Clerk from the personnel committee).

## **4.12 Recruitment and other employment matters**

### **You must not:**

- Be involved in a selection process or interview if you are related to an applicant or in a close personal relationship with them or a member of their immediate family.
- Canvas on behalf of applicants for council posts, either directly or indirectly.
- Be involved in, or try to influence, any employment decisions including those relating to discipline, promotion, pay adjustments, for any employee with whom you have a close personal relationship.
- Ask a councillor to provide a reference for you in relation to a job within the Council.

## **4.13 Commitments outside work**

Outside work means any paid or unpaid work, including voluntary work, undertaken in addition to your Council employment. Any requests to carry out other employment will be considered and will not be unreasonably refused, however outside work must not, in our view, conflict with Council interests or weaken public confidence in the Council, or adversely impact upon your ability to carry out your role with the Council. All approvals will be reviewed on an annual basis by the Town Clerk.

If you wish to undertake any outside work:

### **You must:**

- Obtain permission from the Town Clerk (or in the case of the Town Clerk from the personnel committee) by completing form CCE3 prior to undertaking any outside work.
- Inform the Town Clerk (or in the case of the Town Clerk from the personnel committee) by completing another CCE3 if there are any changes relating to your outside work.

**You must not:**

- Put yourself in a position where your duty and private interests conflict or could appear to conflict.
- Seek to gain business in the course of carrying out your Council duties.
- Carry out any outside work or a private interest during working hours, including making/sending or receiving telephone calls, emails, correspondence/goods.
- Use any Council facilities or equipment or confidential information in relation to commitments outside of work.

#### **4.14 Personal interests**

Section 117 of the Local Government Act 1972 requires you to make a formal declaration about contracts in which you have a financial interest, that is any direct or indirect interest of monetary value, whether or not the value is readily ascertainable. It is a criminal offence to fail to comply with this.

Other financial interests could include when money other than your salary is paid into your bank account by the Council or where your address is linked to a business receiving payment from the Council.

Non-financial interests could include governorship of a local school, membership of an NHS Trust Board or involvement with an organisation or pressure group which may seek to influence the Council's policies.

**You must:**

- Declare any financial or non-financial interests which could conflict or be seen to conflict with the Council's interests to the Town Clerk (or in the case of the Town Clerk to the personnel committee) by completing form CCE2.

**You must not:**

- Make or become involved with any professional decisions about matters in which you have a personal interest.

#### **4.15 Using Council equipment, materials and property**

The facilities and equipment provided as part of your work belong to the Council.

**You must:**

- Comply with health and safety regulations and use personal protective equipment as required.
- Take care of Council property or equipment, keeping it secure and reporting any damages or breaches in security.

- Use equipment and facilities for authorised purposes only.
- Use equipment and facilities appropriately and only for the purposes provided.

**You must not:**

- Use Council equipment or property for personal gain or fraudulent activity.
- Use Council vehicles for unauthorised purposes.

#### **4.16 Reporting improper or illegal activities**

In regard to all aspects of this Code, should you be concerned about any activities which you think may conflict with the Code of Conduct, carried out by yourself or other employees, you should raise the matter with your manager or the Town Clerk (or in the case of the Town Clerk to the personnel committee).

**You must:**

- Report any activity which you believe is illegal, improper, unethical, dangerous or a breach of Code to your manager or the Town Clerk (or in the case of the Town Clerk to the personnel committee).

## **5 Further information**

### **5.1 Confidentiality**

All information will be handled sensitively and used only for its proper purpose.

Under the Data Protection Act 1998 individuals have the right to see their own personal data held subject to the rights of confidentiality of any third parties involved in that information.

### **5.2 Dealing with abuses of the Code**

Employees who attempt to abuse this code may face disciplinary action. The Council takes false or misleading accusations very seriously which may result in further action taken through the disciplinary procedure. This will not include ill-founded allegations that were made in good faith.

### **5.3 Monitoring compliance**

Peterlee Town Council is required by law to protect the public funds it administers and, as part of this duty, will carry out routine monitoring to ensure compliance with this and other Council policies. This will include reviewing declarations made under this code against any information held on manual and / or electronic records and systems controlled or managed by the Council. This may also include data matching of records containing personal data held on and / or across council systems. Any breaches of the Code of Conduct identified as part of these reviews will be brought to the attention of the Town Clerk (or in the

case of the Town Clerk of the personnel committee) for appropriate action to be taken. Where any criminal activity is suspected or detected details may also be referred to the police and/or any other relevant bodies.

## 5.4 Equality and diversity

Peterlee Town Council is committed to promoting equality of opportunity, valuing diversity and ensuring discrimination, harassment or victimisation is not tolerated.

Our policy is to treat people fairly, with respect and dignity. We also comply with legal requirements in relation to age, disability, gender, pregnancy and maternity, marriage and civil partnership, gender reassignment, race, religion or belief and sexual orientation.

## 6 Contact details

If you would like any further advice or would like the document in an alternative format, please contact the Town Clerk (or nominated representative) using the contact details below:

Email: [ian.morris@peterlee.gov.uk](mailto:ian.morris@peterlee.gov.uk)

Tel: 0191 586 2491 ext204

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