Stevenage Borough Council

Employee Code of Conduct

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1. Purpose

1.1 The purpose of the Employee Code of Conduct is to provide a framework for staff behaviour, decisions and actions as public officials.

1.2 It is not an exhaustive list of what employees can and cannot do, but aims to help employees understand the standards that must be observed, including the ways in which staff should interact with elected Council Members, colleagues and the general public.

2. Operation and Scope of the Code

2.1 The Employee Code of Conduct (The Code) will operate in line with Stevenage Borough Council's (The Council) values, which are:

- Excellent
- Innovative
- Caring
- One Team
- Responsive
- Straightforward

2.2 This Code applies to all employees of the Council on JNC Red book and NJC Green book terms and conditions. Contractors, consultants or agency staff working with the Council will be expected to abide by the standards and principles set out in the Code.

2.3 This Code operates in conjunction with the Council's policies and procedures and financial regulations and all employees should familiarise themselves with them.

3. General Principles

3.1 The public is entitled to expect the highest standards of conduct from all employees of the Council. The role of all employees is to serve the Council in providing advice, implementing its policies and delivering services to the local community. In performing their duties, employees must act with integrity, honesty, impartiality and objectivity.

- 'integrity' is putting the obligations of public service above your own personal interests
- 'honesty' is about being truthful and open
- 'objectivity' is basing your advice and decisions on rigorous analysis of the evidence
- 'impartiality' is acting solely according to the merits of the case and serving equally well governments of different political persuasions

4. Accountability

4.1 Employees are accountable, and owe a duty to the Council to act in accordance with the principles set out in this Code, recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.

4.2 Employees must present themselves at all times in a way that brings credit to the Council, whether in person, in the press or on social media. It is important that employees recognise the boundary between “work” and “home” when choosing contacts or groups on social media sites to ensure that they do not put themselves in a situation that could compromise their work and impartiality as council officers.

4.3 Employees should avoid posting derogatory comments about the Council on social media sites and must not engage in any social media activity that may be unlawful.

4.4 Representations in person or in the media that undermine the Council’s reputation may result in disciplinary action.

5. Political neutrality

5.1 Employees, excluding political assistants, must follow every lawfully expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work. Where employees are politically restricted, by reason of the post they hold or the nature of the work they do, they must comply with any statutory restrictions on political activities.

6. Relations with members, the public and other employees

6.1 Mutual respect between employees and members is essential to good local government and working relationships should be kept on a professional basis. Employees should deal with the public, members and other employees sympathetically, efficiently and without bias.

7. Equality

7.1 Employees must comply with policies relating to equality issues, as agreed by the Council, in addition to the requirements of the law. Discrimination on grounds of race, sex, disability, pregnancy and maternity, sexual orientation, marital or civil partnership, gender re-assignment, religion or belief, or age, is unlawful and also constitutes professional misconduct.

8. Stewardship

8.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner and must not utilise property, vehicles or other facilities of the Council for personal use unless authorised to do so.

9. Safeguarding

9.1 Safeguarding and the protection of children, young persons and vulnerable adults is everyone's responsibility. Protecting the vulnerable is not just a moral duty but a duty of care for every employee, volunteer or contractor of the Council who comes into contact with vulnerable people either directly or indirectly.

9.2 All employees must undertake training to equip them with information and tools to practice this duty in the normal course of their work, ensuring they observe the required professional boundaries.

10. Personal interests

10.1 An employee must not allow their private interests or beliefs to conflict with their professional duty. They must not misuse their official position improperly or use information acquired in the course of their employment, to further their private interest or the interests of others or to anybody else's disadvantage.

10.2 Employees should abide by the Council's rules and follow its guidance about the declaration of gifts offered to or received by them from any person or body seeking to do business with the Council or which would benefit from a relationship with the Council.

10.3 Employees whose posts are politically restricted under the Local Government and Housing Act 1989 must ensure they comply with the restrictions imposed at all times, including registration of interests. Further information is available in the Politically Restricted Posts Policy.

11. Prejudicial interest

11.1 A prejudicial interest is considered to be a matter which affects the employee's financial interest or relates to a licensing or regulatory matter in which he or she has an interest and where a member of the public, who knows the relevant facts, would reasonably think that his or her personal interest is so significant that it is likely to prejudice his or her judgment of the public interest.

11.2 A prejudicial interest in a licensing or regulatory matter may stem from a direct financial interest or from a more tangential interest, where for instance approval for a licence may affect a body with which the qualifying employee has a personal interest or will affect him or her personally.

11.3 Employees with a prejudicial interest should notify an, Director or the Chief Executive of such an interest. Where possible, they should take steps to avoid influential involvement in the matter. Where this is not possible, their prejudicial interest should be made clear.

12. Whistleblowing

12.1 Where an employee becomes aware of activities which that employee believes to be illegal, improper, unethical or otherwise inconsistent with this Code, the employee should report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998 and with the Council's confidential reporting procedure or any other procedure designed for this purpose.

13. Disclosure of Information

13.1 Openness in the dissemination of information and decision making should be the norm in the Council. However, certain information may be confidential or sensitive and therefore not appropriate to share with a wide audience. Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone other than a member, relevant senior officer or other person who is entitled to receive it, or needs to have access to it for the proper discharge of their functions.

13.2 Nothing in this Code can be taken as overriding existing statutory or common law obligations to keep certain information confidential, or to divulge certain information in keeping with the General Data Protection Regulation (GDPR) 2016 and Data Protection Act 2018.

14. Appointment of staff

14.1 Employees, when involved in the recruitment and appointment of staff, must ensure that appointments are made on the basis of merit. In order to avoid any accusation of bias, employees must not be involved in any appointment, or any other decision relating to discipline, promotion or pay and conditions for any other employee, or prospective employee, to whom they are related or with whom they have a close personal relationship outside work.

15. Compromising the impartiality of officers of the authority

15.1 An employee must not compromise, or attempt to compromise, the impartiality of anyone who works for or on behalf of the Council, either directly or as a response to pressure from others. An employee should not attempt to force other employees to take action or change advice if doing so would prejudice their professional integrity.

16. Rewards, Gifts and Hospitality

16.1 It is a criminal offence under the Local Government Act 1972, for an officer of a local authority to demand or accept any fee or reward whatsoever other than their employment with the Council.

16.2 Employees must take note that it is an offence under the Bribery Act 2010 to offer, promise or give financial or other advantage to another person with the intention of

bringing about or rewarding improper performance of a public function. This might include offering any gift, loan, fee, reward or advantage for doing anything or showing favour or disfavour to any person in their official capacity.

16.3 It is also an offence under the Bribery Act 2010 to request, agree to accept or receive financial or other advantage with the intention that a public function be improperly performed or rewarded. This might include receiving 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.

16.4 Employees should therefore treat with extreme caution any offer or gift, favour or hospitality that is made to them personally as this offer or gift could be cons trued as being improper.

16.5 The following advice should be heeded in respect of the offer/receipt of gifts and/or hospitality from organisations or persons who seek to provide goods or services to the Council.

16.6 All gifts offered and/ or received must be registered on the Corporate Gifts and Hospitality Register.

The following may be acceptable:

- A modest gift of a promotional character given to a wide range of people and not uniquely to the employee. These gifts are usually given at Christmas time and include calendars, diaries, desk sets, flow charts, tape measures and other articles of use in the office or job;

- Gifts on the conclusion of any courtesy visit to a factory or firm of a sort normally given by that firm;

- A small gift where refusal would cause needless offence and the giver is not currently seeking a decision or business from the Council, but merely wishes to express thanks for advice or co-operation received, for example flowers or chocolates;

- An offer of hospitality if there is a genuine need to impart information or represent the Council in the community, or where the function is part of the life of the community and the Council should be seen to be represented.

- Gifts such as bottles of wine should be declared on the register, for donation to the Mayor’s charity.

16.7 Directors must be consulted before any response is given to the following:

- Invitations to business lunches or receptions which are likely to be fairly extravagant if only one employee has been asked. It is not always possible to know in advance whether a lunch will turn out to be a "champagne and caviar"

event. In such cases where it would cause offence and be undiplomatic to walk away from such an event, the matter should be reported to the Director on return;

- Substantial personal gifts which are simply delivered and where return might be difficult, e.g. a turkey received at Christmas. It may be acceptable to the giver for the gift to be subject to a raffle and the proceeds placed in a charitable fund;

- Tickets for events of any kind, i.e. theatre, sports, etc. In general, it is considered that offers of tickets for events will not be acceptable, although there may be limited occasions where acceptance will be appropriate.

16.8 The following must not be accepted under any circumstances. For an employee's own protection the offer of unacceptable gifts or anything which could be interpreted as a bribe must be reported immediately to the Sponsor Director.

16.9 Examples are:

- Any offers of cash regardless of the amount.

- Offers of major gifts or services e.g.:

    - Holidays
    - Hampers
    - Hotel or company accommodation
    - Offers to provide personal services to any employee, e.g. a building contractor offering to do work on an employee's house at no or reduced cost.

17. Special Circumstances

17.1 The above guidelines change completely if certain circumstances prevail, in which case any offers of any gifts or services should be reported immediately to the Director.

17.2 Examples are:

- Gifts etc. from Contractors seeking a major contract from the Council;
- Gifts from an applicant for planning permission to an employee who could have some influence on the matter;
- Gifts from an organisation with which the Council is in dispute;
- Gifts from organisations which are in dispute with each other and where the Council has some influence over the outcome;
- Any other circumstances where the receipt of any gift/hospitality could, however incorrectly, be interpreted as a bribe.

18. Personal Judgement

18.1 Clearly no set of rules can be comprehensive, but the following points should be considered in conjunction with the above guidelines:

- Always err on the side of caution, if in any doubt at all, ask your Director

- In cases where it is appropriate to refuse a gift, do it tactfully, explaining if necessary the policy over the receipt of gifts.

19. Health and Safety

19.1 All employees have a responsibility, under the Health and Safety at Work Act 1974, to take care in undertaking their duties, to wear protective clothing and use any safety equipment issued to them.

19.2 All accidents or incidents at work or any health and safety risks must be reported to the relevant manager without delay.

19.3 All managers have a responsibility for the health and safety of their staff, taking all reasonable steps to ensure that all activities are carried out with due regard to the Council's safety policies.

19.4 Alcohol, drugs and substance misuse impairs judgement and can put employees, work colleagues and members of the public at risk. Abuse of any such substance whilst at work may be treated as a disciplinary offence.

20. Criminal Offences

20.1 Notwithstanding anything in this Code, all employees are required to comply with the provisions of section 117 of the 1972 Act, to declare an interest in any contract that they may have a direct or indirect pecuniary interest in and not to accept any fee or reward in the course of their employment other than their usual salary and associated employee benefits (if any).

An employee who breaches Section 117 commits a criminal offence.

20.2 Disclosure of criminal convictions

- Employees are required to declare any convictions or bind overs received during the course of their employment to their line manager (or in exceptional circumstances someone more senior) at the earliest possible opportunity.

- Employees should also declare any cautions received during the course of their employment if they relate to fraud or theft, or relate to any matter which would directly or indirectly impact on their responsibilities with regard to children, young persons or vulnerable adults, or if it is likely that the conduct for which

the caution was received would bring the Council into disrepute, taking into account the employee's work within the Council.

- In the event that an employee is unsure whether to disclose a caution or not they should contact Human Resources in confidence to discuss the matter. Failure to declare any such conviction, bind over or relevant caution, for whatever reason, may be regarded as gross misconduct under the Council's disciplinary rules.

21. Version Control

DOCUMENT HISTORY & VERSION CONTROL

Version	Date approved	Approved by	Description
2	15/12/2020	SLT	Revised Code
2	13/01/2021	Staff Side	Revised Code

22. Appendix 1

Declaration – Employee Code of Conduct

To be completed by ALL employees

I am aware that I am required to abide by the Council's Employee Code of Conduct as published on Stevenage Borough Council's Intranet and also available from my Business Unit Manager.

I understand that, as an employee of the Council, I am expected to demonstrate the highest possible standard of service and conduct to the local community we serve. I also understand that the Employee Code of Conduct forms part of my terms and conditions of employment.

I accept that it is my responsibility to read and comply with the requirements of the Employee Code of Conduct and that failure to do so may result in disciplinary action.

Signed: _____ Date: _____

Name: _____

Job Title: _____

Business Unit: _____