Staff Code of Conduct

1. Introduction

1.1 The Code of Conduct is a guide to help give staff advice on some of the problem areas and pitfalls of working in public service. The Code of Conduct is issued to all new staff. The Code of Conduct covers all staff although some aspects may apply only to staff at a senior level.

2. Purpose of code

2.1 The Code has been designed to protect and safeguard the position of individual members of staff as much as those of the Council, and to avoid situations where members of staff might be accused of having some potentially conflicting interest in anything they might be involved in through their work with the Council. Its aim is to encourage staff to inform their managers confidentially on certain personal matters that could affect their duties at the Council. Failure to follow the Code could lead to embarrassing and/or difficult situations and ultimately to an investigation under the Council's disciplinary procedure.

3. Responsibility of staff

3.1 Staff are required to report to Chief Officers and record on the appropriate form, full details of:

(a) any private financial interests which could conflict with the Council's interests;

(b) any interest as a freeholder, lessee, licensee or tenant in any land or property in Spelthorne other than your main residence ;

(c) a relationship with any councillor, contractor or potential contractor ;

(d) a relationship with any member of staff or people in partner organisations which could lead to a conflict with your public duties;

(e) any paid employment or occupation or business interests outside the Council ;

(f) membership of any outside organisations or other public appointments which might conflict with the Council's interests, and

(g) a conflict of interest involving any other connection to the Council's work which may be relevant (e.g. an interest in a property which may be subject to a planning application, or a family member who may be seeking financial support).

3.2 A simple pro forma for recording details of any of these matters is available on SpelNet and should be completed by all members of staff affected and forwarded to the appropriate Chief Officer, in confidence, as soon as possible. In any event, staff are required to report:

(a) on entering the organisation during the induction process;

(b) annually at appraisal time, or

(c) whenever a significant new matter arises under this Code.

3.3 Previous declarations need to be resubmitted on a new form so that the current form is comprehensive. It is important that information is updated as and when circumstances change. If there are any problems (e.g. about the extent of details required) staff should consult their Chief Officer.

3.4 Any information given about interests etc. will be maintained in confidence in the Council's Register. It will be available for inspection by the following people:

(a) Your Head of Service

(b) Head of Human Resources

(c) Internal Audit Manager Services

(d) Head of Corporate Governance

(e) Management Team

3.5 Advice or clarification on any matters covered by the Code of Conduct is available from Human Resources, the Head of Corporate Governance or your Chief Officer.

4. Other rules applicable to employees

4.1 The main rules relating to the work of the Council are included within the Council's Constitution. Some of the other documents from the Constitution with which you should be familiar are:

(a) Contract Standing Orders

(b) Financial Regulations

(c) Policy on Gifts and Hospitality

(d) Policy on Anti-Fraud and Corruption

(e) Confidential Reporting Code (Whistleblowing policy)

4.2 In addition, the Council has numerous other policies for guiding the work of staff and these are available on Spel-net. You should be familiar with these policies because they affect your work, they are relevant to this Code and if you do not abide by them, then they could be disciplinary matters under the Disciplinary Policy, such policies are:

(a) The Disciplinary Policy

(b) Acceptable use policy (for the internet)

(c) ICT security policy

(d) Data protection policy

(e) Any specific departmental policy about access to restricted data or computer systems

5. Code of conduct - standards

5.1 The Council has adopted the Nolan Committee's Seven Principles of Public Life as part of its Member Code of Conduct and this Staff Code of Conduct, hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Accordingly, when employed by the Council -

(a) You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.

(b) You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

(c) When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

(d) You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

(e) You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.

(f) You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out below.

(g) You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

6. Disclosure of information and confidentiality

6.1 The law requires that certain types of information must be available to councillors, auditors, government departments, service users and the public. Other information is subject to confidentiality. You must be aware of the types of information, which in Spelthorne Borough Council are open and those which are not, and act accordingly.

6.2 You should not use any information obtained in the course of your employment for personal gain or benefit, nor should you pass it on to others who might use it in such a way. Any particular information received by you from a councillor or a fellow employee which is personal to that person and does not belong to the Council, should not be divulged by you without the prior approval of that person.

6.3 If you have any doubts about your ability to share or restrict access to information then you should contact the Council's Data Protection Officer, Victoria Statham on ext 6241.

7. Political neutrality

7.1 You serve the Council as a whole. It follows you must serve all councillors and not just members of any controlling group of councillors, and must ensure that the individual rights of all councillors are respected.

7.2 Whether or not your post is politically restricted, you must follow every lawful expressed policy of the Council and must not allow your personal or political

opinions to interfere with your work. Information on politically restricted posts can be obtained from the Head of Human Resources or the Head of Corporate Governance. Guidance is also available on Spel-net.

8. Relationships

8.1 You must never become involved in dealing with or determining any application or request you or a member of your family or personal friend make to the Council, for example an application for planning permission or for council tax or housing benefit.

Councillors

8.2 You are responsible to the Council through its senior managers. For some, your job is to give advice to councillors and the Council. Mutual respect between staff and councillors is essential to good local government. Close personal familiarity with individual councillors can damage the relationship and prove embarrassing to other employees and councillors and should therefore be avoided. Any close personal friendships with councillors should be declared to your Chief Officer.

The Local Community and Service Users

8.3 You should always remember your responsibilities to the community you serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community.

Contractors

8.4 All personal relationships with contractors or potential contractors (i.e. contractors who could bid for Council work) should be declared to your Chief Officer.

8.5 Orders and contracts must be awarded on merit, by fair competition against other tenders, and no favouritism should be shown to businesses run by, for example, friends, partners or relatives. No part of the community should be discriminated against.

8.6 If you engage or supervise contractors or have an official relationship with contractors and have previously had or currently have a relationship (i.e. working or friendship) in a private or domestic capacity with a contractor or potential contractor, you should declare that relationship to your Chief Officer.

9. Appointment and other employment matters

9.1 If you are involved in appointments you should ensure that these are made on the basis of merit. It would be unlawful to make an appointment which was based on anything other than the ability of the candidate to undertake the work. In order to avoid any possible accusation of bias, you should not be involved in an appointment where you are related to an applicant, or have a personal relationship (including friendship) outside work with him or her. You should declare any such relationship to your Chief Officer in advance.

9.2 Similarly, you should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner or close friend.

10. Outside commitments

10.1 You are required to obtain written consent from your Chief Officer to take any other paid employment or occupation in addition to the post held with the Council. This includes directorships, consultancies and sponsorships by any company, organisation or individual. It also includes any other business interests you pursue on your own account. You should be clear about your contractual obligations to the Council and should not take outside employment which conflicts or might conflict in the future with the Council's interests.

10.2 You may not carry out work arising from additional employment in office time nor use Council resources or facilities for those purposes.

10.3 Payment for personal use of Council facilities, e.g. making telephone calls, using fax or photocopiers, should be dealt with through the Council's Honesty Box scheme.

10.4 You should follow the Council's policies on the ownership of intellectual property or copyright created during your employment i.e:-

(a) all creative designs, writings and drawings produced by you in the course of your duties, belong to the Council;

(b) all inventions made by you are the property of the Council if made during the course of your duties.

11. Other personal interests

11.1 You must declare to your Chief Officer any financial interests which could conflict with the Council's interests e.g. any pecuniary interest in a business or company within Spelthorne or with which the Council might do business.

11.2 You must declare to your Chief Officer, any interest you have as freeholder, lessee, licensee or tenant in any land or property in Spelthorne except your main residence as recorded in your personnel records.

11.3 You must declare to your Chief Officer all non-financial interests which you consider could bring about conflict with the Council's interests or activities. Examples might be membership of the committee of an organisation seeking or receiving grant aid from the Council, membership of a National Health Service Trust Board operating in Spelthorne or involvement with an organisation or pressure group which may seek to influence the Council's policies. Ordinary membership of organisations whether local or national (e.g. National Trust, RSPB etc) will not usually be relevant.

12. Equality issues

12.1 You have an obligation to ensure that policies relating to equality issues as agreed by the Council are complied with, as well, of course, as 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.

12.2 You must treat others with respect. This means treating people fairly and equitably and with courtesy, compassion and sensitivity. You should treat other people equally as you yourself would expect to be treated. You must

never use behaviour which a reasonable person would consider as offensive, overbearing, intimidating, malicious, insulting or humiliating.

13. Separation of roles during tendering

13.1 You must be clear on the separation of client and contractor roles within the Council. If you are a senior employee with both a client and contractor responsibility, you must be aware of the need for accountability and openness. Regulations for compulsory competitive tendering have particular requirements for ensuring that contractor units are not involved in tender evaluation. If in doubt, please consult Legal Services.

13.2 If you are in a contractor or client unit you must exercise fairness and impartiality when dealing with all customers, suppliers, contractors and sub-contractors.

13.3 If you are privy to confidential information on tenders or costs for either internal or external contractors, you should not disclose that information to any unauthorised party or organisation.

13.4 If you are contemplating a management buyout, you should inform your Chief Officer as soon as you have formed a definite intent and withdraw from the contract awarding process.

13.5 You should ensure that no special favour is shown to work colleagues or former employees of the Council or their partners, close relatives or associates, in awarding contracts.

14. Use of financial resources

14.1 You must ensure that you use public funds entrusted to you in a responsible manner, ensuring value for money to the local community and avoiding legal challenge to the Authority. If you are in doubt about your obligations, you must seek advice.