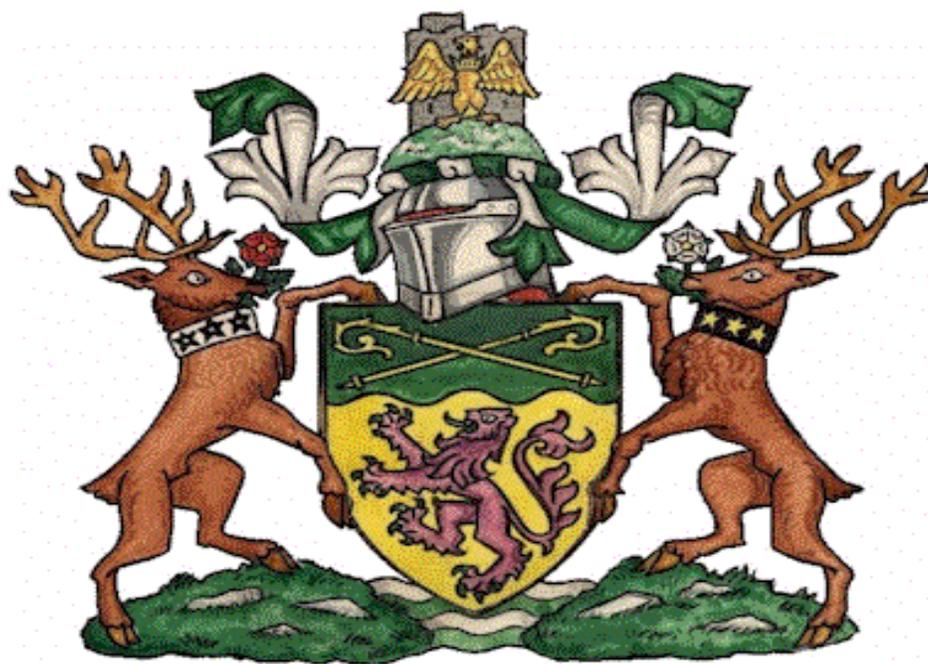


Ribble Valley Borough Council



Code of Conduct For Staff

September 2012

1 ***Introduction***

- 1.2 The public are entitled to expect the highest standards of conduct from Ribble Valley Borough Council and their staff. Confidence in the integrity of staff will be threatened by any suspicion that they may be influenced in the performance of their duties by improper motives, whether well founded or not,
- 1.3 This Code is closely based upon a model Code of Conduct for Local Government Employees that has been recommended to local authorities by the Local Authority Management Board. The Council adopted this Code on 9 November 2005, as setting out the standards of conduct expected of their employees.
- 1.4 Whilst it is not a disciplinary code, any failure to follow the standards it sets out may constitute misconduct that could lead to disciplinary action, including dismissal.

2 ***Who Is The Code Aimed At?***

- 2.1 The Code applies to all the staff of Ribble Valley Borough Council.
- 2.2 Inevitably some of the issues it covers will particularly affect senior, managerial and professional staff. However, the Code is intended to cover all staff that work under a contract of employment with the Council. Activities carried out by Council staff who, in that capacity, are acting as members of companies or of voluntary organisations are also subject to the standards contained in this Code.

3 ***General Obligations***

- 3.1 Staff must always act with good faith towards the Council's business and should promote its interests. Staff must not do anything adversely to affect the Council's reputation.

4 ***Standards***

- 4.1 Local government staff 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 elected members and to fellow staff with impartiality. Staff will be expected, without fear of recrimination, to bring to the attention of their line manager any deficiency in the provision of service. Staff must report to their line manager any fraud, corruption or other malpractice, any impropriety or any breach of procedure. Staff who find themselves in difficulty in doing this should refer to the Council's Anti-Fraud Policy contained in the Staff Handbook.

5 ***Disclosure of Information***

- 5.1 It is generally accepted that open government is best. The law requires that certain types of information must be available to members, auditors, government departments, service users and the public. The Council will be open about other types of information too.

- 5.2 However staff should not disclose personal or financial information about any other person, which they obtain in the course of their duties to the Council.
- 5.3 Staff should respect the confidentiality of reports that are marked “exempt” or “confidential”, and of any other information that they receive under an obligation of confidence.
- 5.4 Staff should not use any information obtained in the course of their employment for personal gain or benefit. Nor should they pass it on to others who might use it for personal gain or benefit. Any particular information received by staff from an elected member which is personal to that member and does not belong to the authority should not be divulged by staff without the prior approval of that elected member, except where such disclosure is required or sanctioned by the law.

6 ***Political Neutrality***

- 6.1 Staff serve the Council as a whole. It follows that staff must serve all elected members and not just those of the controlling group. Staff must ensure that the individual rights of all elected members are respected.
- 6.2 Staff should not, in their capacity as Council employees, attend meetings of political groups unless specifically authorised by the Chief Executive. Staff must take care not to compromise their political neutrality.
- 6.3 Some staff occupy posts which are “politically restricted” under the provisions of the Local Government and Housing Act 1989. This restriction will be stated in their contract of employment. These staff are disqualified from membership of a local authority (other than a parish or community council), and from being a MP or MEP; they are also subject to restrictions in other political activity.
- 6.4 Staff, whether or not politically restricted, must follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work.

7 ***Relationships***

Elected Members

- 7.1 Staff are responsible to the Council through its senior managers. For some staff, their role is to give advice to elected members and senior managers and all are there to carry out the Council’s work. Mutual respect between the staff and elected members is essential to good local government. Close personal familiarity between staff and elected members can damage that relationship and prove embarrassing to other staff and elected members and must therefore be avoided.

The Local Community and Service Users

- 7.2 Staff should always remember their responsibilities to the community and should provide courteous, efficient and impartial service delivery to all groups and individuals within the community.

Contractors

- 7.3 All relationships of a business or private nature with external contractors, or potential contractors, should be notified in writing to the Chief Executive with a copy to the appropriate director. Orders and contracts must be awarded on merit and in accordance with the Council's standing orders on contracts, normally by fair competition against other tenderers. No special favour in the tendering process should be shown to businesses run by, for example, friends, partners or relatives of members of staff. No part of the community should be discriminated against.
- 7.4 Staff who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with a contractor should declare that relationship in writing to the Chief Executive with a copy to the appropriate director.

8 Appointment And Other Employment Matters

- 8.1 Staff involved in appointing Council staff must ensure that all appointments are made on the basis of merit. It is unlawful for an appointment to be made that is 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 staff must not be involved in an appointment where they are related to an applicant or have a close personal relationship outside work with the applicant.
- 8.2 Similarly, staff must not be involved in decisions relating to discipline, promotion or pay adjustments for any other member of staff who is a relative or with whom they have a close personal relationship outside work.

9 Private Work

- 9.1 Staff must not hold any other paid appointment or conduct any paid business, which could conflict with or could have a detrimental effect on the Council's business. If employees have any uncertainty as to whether a conflict exists they should discuss this with their manager or appropriate director.
- 9.2 No private work can be undertaken during work for the Council, or on the Council's premises, or by using Council's equipment without the prior written approval of the Chief Executive or appropriate director.
- 9.3 If in the course of work with the Council staff create a copyright work that work becomes the property of the Council. Similarly, if in the course of work staff create a patentable invention, or create a design capable of registration, then this will also become the property of the Council and staff will be required to co-operate in the registration formalities.

10 ***Personal Interests***

- 10.1 Staff must declare in writing to the Chief Executive, with a copy to the appropriate director, any non-financial interests that they consider could bring about conflict with the Council's interests.
- 10.2 Staff must declare in writing to the Chief Executive, with a copy to the appropriate director, any financial interest that could conflict with the Council's interests.
- 10.3 Under Section 117 of the Local Government Act 1972, staff must declare in writing to the Chief Executive, with a copy to the appropriate director, any financial interest which they, their spouse or civil partner may have in any existing or proposed contract with the Council. Failure to make such a declaration is a criminal offence.
- 10.4 Non-financial interests or relationships that could cause potential conflict must also be declared in writing to the Chief Executive, with a copy to the appropriate director, eg involvement with an organisation or pressure group which may oppose the Council's policies.
- 10.5 Staff must declare in writing to the Chief Executive, with a copy to the appropriate director, 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. For example, staff should declare membership of freemasonry.

11 ***Equality Issues***

11.1 All local government employees must ensure that policies relating to equality issues, as agreed by the Council, are complied with in addition to the requirements of the law, including all forms of harassment, such as sexual, racial or bullying. This includes unwelcome acts, such as: sexual offences; sexual or racial insults; bullying; inappropriate language or comments; committed by an employee against other employees or members of the public. This also includes inappropriate comments, images etc contained in electronic communications such as email or made on social networking sites.

All members of the local community, customers and other staff have a right to be treated with fairness and equality.

12 ***Separation Of Roles During Tendering***

- 12.1 Staff involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the Council. Senior staff who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- 12.2 Staff in contractor or client sections must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and subcontractors.

- 12.3 Staff who have access to confidential information on tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation.
- 12.4 Staff must ensure that no special favour is shown to current or recent former employees or their spouses, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

13 ***Corruption***

- 13.1 It is a serious criminal offence for staff to corruptly receive or give any gift, loan, fee, reward or advantage for doing or not doing anything, or showing favour or disfavour to any persons in their official capacity. If an allegation is made it is for the member of staff to demonstrate that any such rewards have not been corruptly obtained.
- 13.2 Staff must report to the Chief Executive or relevant director any corrupt offer that is made to them.

14 ***Use Of Financial Resources***

- 14.1 Staff must use public funds in a responsible and lawful manner. Staff must ensure value for money to avoid legal challenge to the Council.

15 ***Hospitality***

- 15.1 Staff must only accept offers of hospitality if there is a genuine need to impart information or represent the Council in the community. Invitations to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the Council should be seen to be represented. They should not be accepted unless first authorised in writing by the Chief Executive or appropriate director.
- 15.2 When hospitality has to be declined, those making the offer should be courteously but firmly informed of the procedures and standards operating with the Council.
- 15.3 Staff must not accept significant personal gifts from contractors or outside suppliers, although staff may keep insignificant items of token value such as pens, calendars and diaries.
- 15.4 When receiving authorised hospitality staff should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality.
- 15.5 Acceptance by staff of hospitality through attendance at relevant conferences and courses is acceptable where it is clear that the hospitality is corporate rather than personal, where the Chief Executive or appropriate director gives consent in advance and where any purchasing decisions are not compromised. Where visits to inspect equipment, or other merchandise, are required staff must ensure that the Council

meets the cost of such visits so as to avoid jeopardising the integrity of any subsequent purchasing decisions.

16 ***Sponsorship – Giving And Receiving***

16.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

16.2 Where the Council wishes to sponsor an event or service neither a member of staff or their spouse, relative or close associate must benefit from such sponsorship in a direct way without there being full written disclosure to the Chief Executive or appropriate director of any such interest. Similarly, where the Council, through sponsorship, grant aid, financial or other means, gives support in the community staff must ensure that impartial advice is given and that there is no conflict of interest involved.

17 ***Other Documents***

17.1 Staff must be aware of the Council's Standing Orders on contracts, financial administrative regulations, and any procedure manuals in the service, department or section and must comply with them. Heads of Service must inform staff about these. If there is any doubt staff must ask the Chief Executive or appropriate director.

18 ***Generally***

18.1 This Code cannot cover every eventuality. Its purpose is to show the standards expected of Council staff. It does not replace the general requirements of the law.

18.2 The National Code of Conduct for Elected Members contains advice that is very relevant to staff:

“It is not enough to avoid actual impropriety. You should, at all times, avoid any occasion for suspicion and any appearance of improper conduct.”

18.3 This should be the guiding principle in staff professional conduct and in the application of the Code.

18.4 Conduct likely to bring discredit to the Council's business and/or reputation. This may be breached when an employee intentionally or recklessly or without reasonable cause acts in a manner which damages or is likely to damage the Council's business and/or reputation. This may also relate to acts that an employee commits out of work but which may still have an adverse affect on the Council e.g. newspaper or internet articles about an employee; entries made by employee's on social networking sites etc.

- 18.5 Committing an act outside work or a criminal offence, which is likely to have an adverse effect on the employer/employee relationship. This will include conduct or actions likely to have an adverse affect on the performance the employee's contract of employment such as drink driving or other drivingoffences, or taking part in activities or expressing views which could bring the Council into to disrepute, or any action which may undermine an employee's professional credibility either within the organisation or within the community.
- 18.6 If staff are uncertain as to the conduct expected in a particular situation please consult the appropriate Head of Service. If this is impractical please consult the appropriate director.