

## **Part 5 B**

# Officers' Code of Conduct



## ***Part 5B - Officers' Code of Conduct***

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## **EMPLOYEE CODE OF CONDUCT**

### **Part 1    *General Provisions***

#### **Purpose**

- 1.1 This Code of Conduct defines the responsibilities, standards and behaviour required of you as a Leicestershire County Council employee. It reflects the fact that members of the public expect you, as a public servant, to demonstrate the highest levels of integrity and professionalism at all times. This is necessary to enable the County Council to deliver services of high quality which are value for money and reflect the Councils organisational values.
- 1.2 It is your responsibility to read this Code and to make sure your conduct meets its provisions at all times.
- 1.3 Breaches of this Code will be investigated and may result in disciplinary action being taken which could lead to dismissal. You must engage in any investigations about actual or potential breaches of this Code.

#### **Scope**

- 1.4 This Code of Conduct applies to all County Council employees, apprentices and casual workers. Volunteers, agency workers and others who work, whether paid or unpaid, for and on behalf of Leicestershire County Council are expected to comply with this Code.
- 1.5 You are required to comply with this Code when carrying out your duties as an employee or representative of Leicestershire County Council.
- 1.6 This Code of Conduct is not an exhaustive account of all the expectations upon you and should be read in conjunction with the Council's Disciplinary Policy and Procedure.
- 1.7 This Code does not apply to employees, workers or others based in schools and colleges with delegated budgets.

### **Part 2    *Principles***

The Code of Conduct reflects the key principles of public life recommended by the Committee on Standards in Public Life (The Nolan Committee). You must act in accordance with these principles, as set out below, and observe the following rules of behaviour:-

#### **Principle 1 - Selflessness**

You should act solely in terms of the public interest.

### **Principle 2 - Integrity**

You must avoid placing yourself under any obligation to people or organisations that might try inappropriately to influence you in their work. You should not act or take decisions in order to gain financial or other material benefits for yourself, your family, or your friends. You must declare and resolve any interests and relationships.

### **Principle 3 - Objectivity**

You must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### **Principle 4 - Accountability**

You are accountable to the public for your decisions and actions and must submit yourself to the scrutiny necessary to ensure this.

### **Principle 5 - Openness**

You 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.

### **Principle 6 - Honesty**

You should be truthful.

### **Principle 7 - Leadership**

You should exhibit these principles in your own behaviour. You should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## **Part 3 *Standards***

### **3.1 You are required to:-**

- 3.1.1 Always act in the interests of Leicestershire County Council;
- 3.1.2 Behave at work in line with this Code of Conduct and the Council's Organisational Values;
- 3.1.3 Attend work in accordance with your contractual requirements, carry out all of the requirements of your job and any reasonable instructions given by your manager or supervisor effectively and to the standard that is needed;

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- 3.1.4 Conduct yourself, in your official or private capacity, in a way which could not reasonably be regarded as bringing the Council into disrepute or engage in any conduct that is harmful to the Council or its interests.
- 3.1.5 Be aware that actions in your off-duty hours can impact on your employment with the Council as it may result in disciplinary action being taken against you. Examples include, but are not limited to, involvement in racist incidents, criminal actions and acts of violence.
- 3.1.6 Whilst at work and/or on official Council business, dress appropriately for the role you are undertaking and wear your official Leicestershire County Council identity card;
- 3.2 Health and Safety
  - 3.2.1 You have a responsibility to present yourself fit for work and be capable of carrying out your duties fully in a competent and safe manner. In addition you have a duty to take care of your own health and safety and that of others who may be affected by your actions and to co-operate with the Council and co-workers to help everyone meet their legal requirements;
  - 3.2.2 If you have a specific query or concerns about health and safety in your workplace you should in the first instance talk to your line manager.

## **Part 4 *Adherence to Council Constitution, Policies, Procedures, Operating Guidelines and Service Standards***

- 4.1 You have an individual responsibility to work within Leicestershire County Council's Constitution, service requirements, policies, procedures, operational guidelines and standards, legislation and other professional standards which may apply to your role from time to time and to be aware of and keep up to date with those requirements and standards. Adherence to these ensures that:
  - The Council meets its statutory requirements;
  - Service standards are maintained;
  - Proper monitoring and auditing processes can be applied.
- 4.2 If you do not follow these (whether intentionally or inadvertently) it will be regarded as a disciplinary matter. Whilst managers will assist you, you have a personal responsibility to make sure that you are familiar with your responsibilities under the Council's Constitution and other policies, procedures and guidelines, in particular:-
  - HR Policies;
  - Equalities Policies;
  - Financial Procedure Rules;
  - Contract Procedure Rules;

- Departmental operational policies, procedures and codes.
- 4.3 When using facilities and equipment, provided as part of your work, belonging to the Council you must;
- Take care of County Council property or equipment, keeping it secure and reporting any breakages or breaches in security;
  - Use equipment and facilities for authorised purposes only.
- 4.4 You must act in accordance with the Council's Smoke Free policy.

## **Part 5 *Public and Social Media***

- 5.1 Unless you are acting as a spokesperson for the Council as part of your duties, or you are authorised to act as a spokesperson about a particular situation, or are acting as spokesperson for one of the Council's recognised trade unions in pursuit of legitimate industrial relations activities, you must not:-
- Speak, write or give interviews about the business of the Council to the media;
  - Make a public statement which concerns the business of the Council.

To do so may result in reputational damage to the Council.

- 5.2 You should be aware of the risks you could potentially face when sharing information about your working and personal life through Social Media and the potential for disciplinary action being taken against you..

## **Part 6 *Relationships***

- 6.1 The County Council expects that you:-
- 6.1.1 Treat all co-workers (whether paid or unpaid) equally, fairly and with dignity and respect regardless of their circumstances or personal characteristics;
  - 6.1.2 Are supportive, co-operative and maintain good working relationships;
  - 6.1.3 Assist the Council achieve its aim of making the work environment free of harassment and/or bullying, discrimination or other unacceptable behaviours.
  - 6.1.4 Always remember your responsibilities to the community the County Council serves and make sure you are polite, efficient and provide impartial service delivery to all groups and individuals within that community, regardless of their circumstances or personal characteristics and as defined by the policies of the Council.
  - 6.1.5 Develop effective co-operative and professional working relationships with organisations (including in a voluntary capacity

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with the local community), agencies, contractors, suppliers, and service partners, without offering or inferring any advantage to any external suppliers or contractors;

## 6.2 Elected Members

- 6.2.1 Mutual confidence and trust between employees and elected members is essential to the effective operation of the County Council. Any close personal relationships which develop between you and an elected member should be declared in the same way as a relationship with another employee.

More information is contained within the Protocol on Member Officer Relations, in Part 5C of this Constitution.

## **Part 7 *Personal, Business, Financial or Other Interests***

- 7.1 For the most part, your off-duty hours are your personal concern; however you should not subordinate your employment relationship with the Council to your private interest or put yourself in a position where there is a conflict of interests.
- 7.2 The County Council and the public must be confident that decisions of whatever nature you make are made for good and proper reasons and are not influenced by your interests or the interests of your family, relatives or friends.
- 7.3 You are required to declare and register any potential or actual personal, financial, business, other employment or interest which may impact on your work, conflict with the impartial performance of your duties, put you under suspicion of improper behaviour or that would cause damage to the Council's reputation or services.
- 7.4 Appointment and other employment matters
- 7.4.1 Applicants for any County Council post are asked to declare any relationship with a member or employee of the Council. 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 close personal relationship outside work with them;
- 7.4.2 In the same way, you must not be involved in decisions about discipline, promotion or pay for any employee you have a close personal relationship with.
- 7.5 Relationships which develop during the course of Employment
- 7.5.1 You are responsible for declaring, in writing to your line manager, any personal relationships that develop with another Council employee, which may conflict with the impartial performance of your duties.



## **Part 8    *Bribery, Fraud and Corruption***

### **8.1    Bribery**

- 8.1.1 Bribery is defined as “an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage”.
- 8.1.2 Under the Bribery Act 2010, both individuals and organisations are liable for conviction in court, imprisonment and/or fines if found guilty of an offence.
- 8.1.3 It is useful for all employees to remember that it is unacceptable to:
- Give, promise to give, or offer a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given;
  - Give, promise to give, or offer a payment, gift or hospitality to a government official, agent or representative to ‘facilitate’ a routine procedure;
  - Accept payment from a third party that you know or suspect is offered with the expectation that it will obtain a business advantage for them;
  - Accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided by us in return;
  - Take any action against or threaten a person who has refused to commit a bribery offence or who raises any concerns.
- 8.1.4 The responsibility to control the risk of bribery occurring should reside at all levels. If you have a concern regarding a suspected instance of bribery please speak up.

### **8.2    Fraud and Corruption**

- 8.2.1 Fraud is defined as “deliberate deception intended to provide a direct or indirect personal gain”.
- 8.2.2 Corruption is defined as the “deliberate use of one’s position for direct or indirect illegitimate personal gain”.
- 8.2.3 The Council’s general belief and expectation is that all those associated with it will act with honesty and integrity. In particular, officers will lead by example and be accountable for their actions.
- 8.2.4 As an employee of the County Council you are expected to:
- Take the risk of fraud seriously;
  - Secure all passwords, information, documents, money and equipment in your control which can be stolen or used to perpetrate fraud;

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- Make yourself aware of corporate and departmental documented procedures, regulations or other instructions and ensure, where possible, that they are adhered to;
- Strive to achieve value for money in your use of the Council's financial resources;
- Only incur costs to the Council in accordance with your authorised limits;
- Declare any conflicts of interest that arise;
- Only accept gifts and hospitality in accordance with the County Council's Policy;
- Bring any concern you have on the adequacy of control measures to the attention of your line manager;

8.2.5 Concerns raised will be treated in accordance with the Council's Whistleblowing policy.

## Part 9 *Protecting the Council's Business Interests*

- 9.1 The Council retains the intellectual property rights for work created in the course of your normal duties e.g. research, reports, designs, drawings, software developments or similar work. No property of the Council should be removed from Council premises or passed on by you or another person acting on your behalf to a third party, without the express consent of the Council.
- 9.2 Similarly, you are not permitted to use any work which you or others have created, whilst in the employment of County Council, for personal or financial gain without the express consent of the Council.

## Part 10 *Whistleblowing*

- 10.1 The County Council is committed to achieving high standards of integrity and accountability and expects the same commitment from those working for the Council. Experience shows that employees are often the first to realise that there may be something seriously wrong within the Council or often have worries or suspicions and could, by reporting their concerns at an early stage, help put things right and stop potential wrongdoing.
- 10.2 The Council's Whistleblowing Policy provides a framework for you to raise concerns which you believe are in the public interest and may relate to illegal, improper or unethical conduct. You are encouraged to bring to the attention of management, knowledge of any such activity. You should be able to do so without fear of victimisation.

## Part 11 *Disclosure of Information*

- 11.1 You have a contractual responsibility to maintain confidentiality and to comply with the Council's guidance on Data Protection and Information Security and Acceptable Use Policy.

- 11.2 Confidential information includes, but is not limited to, any information regarding staff, service users, financial information, information regarding business plans or other commercially sensitive information and any information or matter which relates to the affairs and/or services of the County Council that should not be in the public domain and information about County Council Service Users and Customers.
- 11.3 You must:
- 11.3.1 Not disclose information (oral, written or electronic) given to you in confidence by anyone, or information acquired which you believe is of a confidential nature, without the consent of a person authorised to give it, or unless you are needed to do so by law, or until it becomes public in the course of the Council's business;
  - 11.3.2 Not prevent another person from gaining access to information to which that person is entitled by law;
  - 11.3.3 Not use any information received during your employment for personal gain or benefit, or pass it on to others who might use it in a way other than might reasonably be expected in the normal course of their duties;
  - 11.3.4 Where applicable, be aware of the guidance on when you make confidential information available to Elected Members. Part 4B – Access to Information Procedure Rules.
  - 11.3.5 Respect political confidences as provided for in the protocol on Member/Officer Relations, Part 5C of this Constitution.
- 11.4 If you are unsure if an individual has the right to receive the information they have asked for, you must seek advice from your line manager.

## **Part 12 *Political Neutrality***

- 12.1 Employees serve the whole County Council as a single, statutory corporate body and not simply the political administration in power. It follows, therefore, that you must provide support to all members of the Council, regardless of the political party they represent. This is particularly important in relation to their local or representational role.

This is explained in more detail in the Protocol on Member/Officer Relations, Part 5C of this Constitution.

### **12.2 Politically Restricted Posts**

- 12.2.1 Some employees hold posts that have been designated as politically restricted. If you hold this type of post you are prevented from taking an active political role either in or outside work. You must not stand as a candidate, or hold, elected office (other than to a Parish Council), canvass at elections, speak, or write publicly demonstrating support for a political party.

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12.2.2 The restrictions which apply to Political Assistants are slightly different.