

OFFICERS' CODE OF CONDUCT

1. Introduction

Wigan Council is committed to maintaining high standards of conduct in all areas of its activities. It relies on employees to observe these standards when carrying out their duties and in doing so promote and maintain public confidence and trust in the work of the Council.

The Code has been set out to:

- promote fairness and consistency in the treatment of individuals;
- establish clear standards to help employees maintain and improve the services they provide. Further information can be found in section six of this document;
- help maintain satisfactory relationships with members of the public, colleagues and Elected Members; and
- help to protect employees from bias, misunderstanding or unjustified criticism.

Employees are required to comply with the Code of Conduct as it will help them to understand and comply with the high standards of conduct the Council expects, failure to do so may result in disciplinary action, which could include dismissal. Some services may issue supplementary codes of practice on employee conduct following consultation with Trade Union representatives.

2. Scope

This Code of Conduct applies to all council employees. A separate [Code of Conduct for Members](#) is also available. Some standards covered by the Code will affect some employees more than others and they will be applied as appropriate. Individuals contracted to provide services for the council, such as agency workers, should comply with the principles of the code, although they are not designated as employees. Although the code is comprehensive in the range of issues included it is not possible to cover every circumstance. Management reserve the right to take appropriate action should any issue arise not otherwise covered in the code.

3. General principles behind the Code of Conduct

The public is entitled to expect the highest standards of conduct from all local government employees. In performing their duties, employees must act with integrity, honesty, impartiality and objectivity.

Employees are trusted to use their own judgement in the performance of their duties but if employees are unsure of the correct course of action, they must speak to their manager at the earliest opportunity.

4. Responsibilities

4.1 Employee Responsibilities

As part of the code employees are expected to:

- familiarise themselves with the contents of the code and act in line with the principles set out in it;
- act honestly and with dignity and treat others with respect;
- attend work and be able to carry out their duties safely and effectively;

- ensure their conduct does not discriminate against others;
- understand and apply the Council's rules, policies and procedures and act in line with its vision and values;
- follow reasonable management instructions, procedures and regulations; and
- be committed to delivering quality services, competently, and with due care.

4.2 Council Responsibilities

The Council also has a responsibility to help ensure that employees:

- are clear about what is expected of them;
- have a safe and healthy working environment;
- have a work environment that is free from discrimination, harassment or bullying as covered by the [Dignity at Work](#) policy;
- are offered relevant development opportunities;
- have the opportunity to choose to be accompanied by a trade union representative or colleague, in appropriate circumstances, as determined by Council policy; and
- are treated fairly, with respect and dignity.

Managers have a responsibility to ensure that paper copies of this code are made available to employees who do not have access to the Council's intranet.

5. Workplace Behaviour and Personal Conduct

5.1 Dignity at Work

Everyone has a right to be treated with fairness, dignity, integrity and respect regardless of their age, disability, marriage and civil partnership; pregnancy and maternity; race; religion or belief; gender; sexual orientation or gender reassignment

Employees should take care that through their actions they do not undermine the dignity and respect of other people, or encourage others to be disrespectful, to any individual or group. They must ensure that:

- their conduct does not discriminate, victimise, harass or be perceived as bullying towards others;
- they are familiar with and follow the Council's policies on equality and diversity and dignity at work; and
- they develop and maintain appropriate skills in valuing diversity.

Further information can be found in the [equal opportunities](#) and [Dignity at Work](#) documents.

5.2 Workplace Problems

From time to time, employees may have a problem or concern at work. While most problems can be resolved during the normal working day, some may need addressing in a formal manner in order for them to be resolved satisfactorily.

If employees have a concern or problem about an aspect of their employment they can use the relevant procedure or the Resolving Workplace Problems procedure. This provides a clear framework for dealing with problems, such as allocation of work; working conditions and practices; health and safety; career development and pay with the exception of job evaluation outcomes. The framework also emphasises

the importance of reasonable and practical resolutions, achievable within an agreed timeframe.

5.3 Reporting Absences

If an employee is unable to attend work for any reason, they must advise their manager as soon as possible. In cases of absence due to sickness they must report their absence in accordance with the Council's [Sickness Reporting and Certification Procedure](#).

5.4 Learning and Development

To ensure the Council delivers an efficient and effective service, it continuously invests in its employees and helps ensure they have the skills to do their job. This means they will be required to undertake relevant learning and development opportunities to give them the skills and knowledge necessary to do their job.

Employees who have non-standard working patterns, or who work part-time, may be required to attend learning and development on a non-working day. When this occurs, employees will be asked to change their working days for that week, or will be paid for any extra hours they accrue.

5.5 Use of Authority, Status or Official Position

Employees shouldn't use their official position, status, powers or authority to seek to improperly influence a decision or action. This is particularly relevant when dealing with the selection of contractors or developers. It is equally relevant for appointments and other employment matters.

If employees provide advice and guidance they are expected to do this in an honest and impartial manner. They should also ensure their advice and guidance is based on an accurate representation of facts and that it is fair and consistent. All advice and guidance should be in accordance with Council policies, procedures and guidelines.

If employees find there is a conflict between their work role and their personal situation, they will need to speak to their manager to try to resolve the conflict.

Employees may have dealings with the Council on a personal level, for example as a council tax payer, as a tenant, or as an applicant for a grant or planning permission. They must never seek or accept preferential treatment in these dealings because of their position as a Council employee. They must also avoid being in a situation that could lead the public to think that they are receiving preferential treatment. Similarly, they must never use their position as an employee to try to get preferential treatment for friends or relatives or any company or organisation with which they or their friends or relatives are personally connected.

5.6 Personal Relationships

The Council respects the privacy of its employees, and recognises that close personal relationships between colleagues can happen. Family members may also be recruited to or required to work within the same section or team of the Council. In the majority of cases it is unlikely that a relationship between colleagues will have any impact on the work of the Council. However, from time to time a close personal or family relationship between two employees can have the potential to harm the

work of the Council. In these circumstances, employees who have such a relationship with colleagues must inform their manager at the earliest opportunity. This is particularly important if the working relationship includes direct line management between two people in a relationship with each other.

In many cases, any difficulties caused by an employee's relationships can be resolved through discussion and setting boundaries. However, in some instances, the Council may need to transfer one or both employees, to other jobs within the Council.

If employees find themselves in a position in which their personal relationship with a work colleague could lead to a potential conflict of interest with the Council's business, they will need to tell their manager as soon as possible to make arrangements to avoid the conflict. There is no requirement to complete a form.

This section will apply to employees who have had previous as well as current relationships with colleagues.

If an employee is unsure whether they need to declare a relationship or not, they should speak to their manager for advice.

5.7 Conduct during Working Hours

All employees are expected to behave in an appropriate manner, and to meet required standards, in the workplace.

Failure to meet expected standards will result in action being taken under the [Disciplinary Procedure](#).

5.8 Conduct outside Working Time

In general terms, what employees do outside of work is their own concern but they should avoid doing anything which may result in the Council's reputation being damaged. Serious misconduct or criminal offences committed during, or outside working hours, which bring employees or the Council into disrepute, can lead to disciplinary action and may result in dismissal.

Employees have the right to take part in peaceful and lawful demonstrations or marches. They must be aware however, that should their actions become subject to police investigation, or the Council is brought into disrepute, disciplinary action may be taken.

There are also some professions where 'bringing the profession into disrepute' could result in a person being struck off their professional register and no longer being allowed to practise. Employees should refer to the code of practice for any professions that they may belong to. Employees must be aware that behaviour at work related social events, such as an office Christmas party, must meet the expected standards of this code. Harassment of colleagues will not be tolerated. Further information is given in section 5.1 of this document and in the [Dignity at Work](#) documents.

5.9 Use of Council Property, Facilities and Equipment.

Employees must only use Council property, facilities and equipment for the Council's business unless they have their manager's permission.

Employees may make phone calls or print personal documents, within reason and within their own time, but they are required to reimburse the council for the cost. Printing costs can be verified on [Printer Pin Management](#). Managers will inform employees of the method used for collecting payments in their workplace.

Employees may also access the Council's internet connection for personal use, in line with the notes in section 11.2 of this document.

Council vehicles must only be used for council business. Drivers have a responsibility for the safety and security of their Council provided vehicle, which includes not leaving the keys in an unattended vehicle. Drivers of Council vehicles must behave in a considerate way to other road users, including not parking in a disruptive way, speeding or giving vent to road rage.

When employees leave the Council's employment, they must return any property belonging to the Council. This may include, but is not limited to, security and identity cards, security tokens, vehicle and fuel keys, car park pass, lap-top, mobile phones or items of uniform.

Political Neutrality

Employees serve the Council as a whole and not just the political group in power. They must ensure that the individual rights of all Elected Members are respected. They shouldn't let their own personal or political opinions interfere with their work.

If they are required to advise political groups they must remain unbiased, to maintain their political neutrality.

Neutrality doesn't mean they cannot be a member of a political party but they should not wear or display anything that indicates their affiliation, sympathy or opposition to any political party. This also applies to private vehicles used on Council business.

Employees will have been notified separately if their post is 'politically restricted' and will be given details of the restrictions which apply. These restrictions form part of their contract of employment which they are obliged to observe. A list of politically restricted posts is held by Assistant Director – HR and OD Resources Directorate.

6. Customer Care

As part of its overall objectives the Council aims to deliver quality services, fairly, courteously and responsively by well informed employees who take pride in what they do, linked to the Council's five values:

- Confidence in the borough;
- Putting people first;
- Efficient and business-like;
- Always keen to do better; and
- One team, one council.

Further information can be found in the values and competencies document.

Employees must follow Customer Care processes issued by their Directorate.

Employees should also remember that colleagues are our internal customers and should be given the same level of customer service.

6.1 Standards of Dress

Standards of dress must be clean and appropriate to the workplace, the nature of their duties, and health and safety. Some employees will dress in accordance with their own religious or cultural backgrounds and other employees will need to be sensitive towards this.

6.2 Security and Identification Badges (ID)

Employees must only use their ID for official purposes and they must not give it to anyone else. They must ensure it is visibly displayed at all times whilst on Council premises and when visiting customers, service users or external premises.

Employees are encouraged to question anyone in Council premises who isn't displaying either an ID or a visitor's badge. If an employee loses their ID they must report it to their manager and they will need to pay for a replacement. Employees who leave the employment of the Council are required to return their ID and any other security devices they may have, as well as other items as detailed in section 5.9.

6.3 Visiting Domestic and other External Premises

Employees, who need to visit any domestic or business premises, must behave in an appropriate manner. They will act in accordance with Council policies and any specific directorate guidance when making such visits.

If an incident occurs during a visit, they must report it to their manager. Further information on [reporting an incident](#) is available.

6.4 Corporate Document Style

If employees are responsible for preparing documents which are to be used for external communications, they must ensure they are in accordance with the corporate document standards. The Council has adopted a corporate approach to image and communications and guidance can be found in the [Corporate Style Guide](#) and Corporate Templates section of the Council's website.

7. Managerial Roles and Responsibilities

Managers must ensure that they understand the main requirements of the code. They must also make sure that their employees are aware of the code and how it may affect them in their work.

Important corporate messages are circulated using a variety of communication methods. These include: NET Consent, emails directly to third or fourth tier managers and above; or as information on the intranet home page. Managers must ensure their employees are kept informed of these messages through one to one or team meetings, or by emailing them, when appropriate.

For employees with access to NET Consent, managers should ask if they have read and understood this information. If their employees do not have access to a computer or the intranet, they must give them copies of the NET Consent message or any other communication and appropriate document.

8. Working Relationships

8.1 Working with Elected Members

It is important that both Elected Members and employees treat each other with dignity and respect. Wherever possible employees will need to avoid close personal familiarity with Elected Members as this may damage working relationships and cause embarrassment. However, the Council recognises that employees may be related to an Elected Member. If this is the case, employees must inform their manager and withdraw from work that may cause a conflict of interest.

The Council has an agreed member employee protocol to ensure sound and effective working relationships. If the employee has contact with Elected Members in the course of their job, they should ensure they are aware of and understand the [Member / employee protocol](#).

Employees must not use their contact with Members for personal reasons. Paragraph 4.8 of the Member / employee protocol specifically states that employees must not “raise personal matters to do with their job” with an Elected Member.

8.2 Working with Contractors

If employees are involved in a tendering process and deal with contractors, they must be clear on the separation of client and contractor roles, and the need for accountability and openness. See also section 12.2 of this document.

If they have connections or an affiliation with an external business or contractor who is, or may be, contracted to work with the Council, they need to declare this in writing to their Director.

Employees must ensure that the tendering process is a fair and transparent procurement process and is in line with the Council’s procedures. They must not give any special favour in this process to businesses operated or controlled by friends, relatives or partners. No members of the local community should be discriminated against or shown preferential treatment.

If an employee believes there may be a conflict of interest with any contract or contractor they need to inform their manager.

Similarly, orders and contracts must be awarded fairly and based on merit and in line with the Council’s Standing Orders and Procurement Strategy.

9. Recruitment and other Employment Matters

9.1 Recruitment

If employees are involved in recruitment, they must follow the Council’s guidance given in the Recruitment and Selection Principles document. They should not be involved in an appointment where they are related to an applicant or have a close personal relationship with the candidate outside of work. If employees find they are in this position, they must inform their manager.

9.2 Other Employment Matters

Employees must not be involved in decisions relating to the discipline, promotion or pay and conditions of an employee they are related to or have a close personal relationship with. If employees find they are in this position, they must inform their manager.

This also applies to issues arising under policies and procedures related to dignity at work, workplace problems, performance or sickness.

9.3 Criminal Charges and Convictions

When applying for a job with the Council, candidates must give details of any unspent convictions including date of convictions and sentence imposed. For certain positions in the Council, appropriate safeguarding and criminal record checks will be carried out. The suitability for employment of a person with a criminal record will vary dependent on the nature of the job, and the details and circumstances of the conviction. An employee who commits a criminal offence whilst in employment with the Council will be given an opportunity to explain the circumstances. A decision will then be made as to what, if any, disciplinary action will be taken. Employees have a responsibility to inform their manager of any criminal convictions that occur during their employment with Wigan Council.

10. Financial Integrity, Fraud, Bribery and Corruption

The Council places a high priority on maintaining its reputation and will not tolerate fraud, bribery or corruption.

Employees play a key role in maintaining the Council's high standards and to support this there are a number of policies and procedures in place which they are required to comply with. These include:

- Anti-Fraud, Bribery & Corruption Policy Statement;
- Anti-Fraud, Bribery & Corruption Strategy; and
- Anti Money Laundering Policy & Procedures.

10.1 Personal Finances

Employees must not deliberately evade debts owed to the Council such as fines, Council Rent or Council Tax. Similarly, they must not obtain money from the council or any other public body that they are not legally entitled to, for example, by fraudulently claiming benefits.

As part of its fraud and corruption strategy, the Council works with a range of external agencies to identify and counter fraud. In doing so the Council is committed to exchanging information and using data matching techniques for records held by Councils and national agencies. Such activity is carried out in line with the data protection legislation and the Audit Commission code of practice.

Inconsistencies in any matching will require further investigation and should employees be found to have committed fraud against the Council, any other local authority or national agency they may be subject to disciplinary action. Serious cases of fraud or corruption represents gross misconduct and could lead to dismissal.

Employees must also be aware that in proven cases of financial loss, the Council will seek to recover all such losses. This may be deducted from any money owed by the Council or if necessary from any accrued pension benefits. If money is deducted from salary payments, the Council will ensure that the repayment does not result in the employee receiving less than the national minimum wage.

To assist the Council in minimising potential fraud and corruption and at the same time reduce the risk of inconsistency or errors in the data matching process, employees must ensure the HR Customer Services

Centre (HRCSC) is informed if they change their name or home address. In cases where an employee uses more than one address, they must inform the HRCSC of the address normally classed as their home. This does not include c/o addresses, unless there are special circumstances which their manager is satisfied with. Any changes may be made electronically, if the employee has access to the self-service HR system, or by email to hrcustomerservicecentre@wigan.gov.uk. A Changes to Personal Details form is available to provide the appropriate information.

10.2 Dealing with the Council's Money

If an employee's role involves dealing with money belonging to the Council or other public funds they must ensure they act in a responsible and lawful manner and follow the Council's guidance and regulations. Extensive guidance is available on the Financial Services intranet site.

10.3 Over and under Payments of Salary

Every attempt is made to ensure that employees are paid correctly and on time. However, sometimes, information can not be processed in time to meet payroll deadlines. Employees have a responsibility to ensure that they are not over or underpaid by:

- checking the accuracy of their payslips for any payment they are not entitled to;
- seeking clarification if they are unsure of any amounts on their payslip;
- immediately reporting any discrepancy to their manager or HR Customer Service Centre (HRCSC). Employees may want to highlight the discrepancy, either in writing or by e-mail; and
- repaying any amounts overpaid to them.

Further information can be found in the Salaries Over and Under Payments procedure

11. Data Protection and Information Technology

11.1 General Information

The use of personal data is regulated by the relevant data protection legislation and the Council's policy is to ensure that all personal information it uses is treated with care and respect. The [Data protection](#) policy site contains extensive guidance and advice on how employees should handle, store, protect and share information.

If employees leave the employment of the Council, they must continue to observe their duty of confidentiality. They must not use any information that they had access to as part of their employment for private, commercial or political gain. Information must not be passed on to others or used to bring the council into disrepute.

As well as the data protection policy, the Council has a range of policies and procedures in place to help ensure data integrity and security.

Guidance and advice is available from the following links:

- [IT Password Security](#);
- [IT security](#);
- [Acceptable Use of IT Policy](#) – including email and internet; and
- [Use of mobile data storage devices](#).

These policies and procedures apply to [mobile](#) and [home based](#) employees as well as those working in council premises. Click on the links for more information.

11.2 Acceptable use of the IT Systems and Services

If employees use the Council's IT systems as part of their job they need to be aware of the Council's [Acceptable Use of IT Policy](#). This makes clear what their responsibilities are and how to use these systems and services safely, securely and in line with council procedure.

11.3 Personal use of Internet by Employees

If employees access the internet for personal use, they must only do this outside their working hours. They must also consider the appropriateness of the sites they visit. The council operates a system to filter and monitor internet usage.

Before using the internet for personal use, employees should read the guidance in the [Acceptable Use of IT Policy](#).

11.4 Freedom of Information (FOI)

If employees receive any requests for information under the terms of the FOI regulations they must ensure these are dealt with in accordance with the Council's freedom of information policy. Guidance and advice is available in the [Freedom of Information policy](#).

11.5 Disposal of Confidential Waste

Storage and disposal of confidential information must be managed securely. The [Disposal of Confidential Waste Policy](#) provides advice and guidance on the safe disposal of paper and electronic data, and the disposal of mobile devices and other equipment that have been used to store data.

12. Personal Interests

In accordance with local government legislation and the National Agreement on Terms and Conditions, employees have an obligation to declare and register:

- requests to undertake additional employment or engage in business outside of Wigan Council;
- any conflict of interest with the Council. These may be direct or indirect; and
- any offers of payment, hospitality and gifts.

12.1 Additional Employment

If employees wish to take up an additional job or become involved in a business, whilst still employed by Wigan Council, they must complete a form for Consent to engage in business or additional employment. The form will be returned to the employee's manager who will discuss it with the employee before signing it. The completed form will then be registered with the employee's Director. Before submitting a form, employees must consider if the other employment would conflict with their job with Wigan Council, or could contravene section 5.8 of this document and have the potential to bring the council into disrepute. The term "involved" includes both paid and unpaid, or voluntary, work.

Employees who take up additional employment need to be aware of their duty to take reasonable care of their health, safety and well-being and that of others. They also need to ensure that any outside work, in addition to their contractual hours, does not exceed 48 hours each week,

averaged over 16 weeks. This is in accordance with the Working Time Directive.

Employees who are injured whilst working for another employer will not be entitled to receive occupational sick pay from Wigan Council.

12.2 Conflict of Interest

If a conflict occurs, or may occur, between an employee's private interests and their duties for the Council they must inform their manager. This also extends to cover any immediate family member whose interest could conflict with those of the Council. This may include circumstances such as:

- financial or non-financial interests that could be considered to be in conflict with the Council's interests or cause the employee's conduct to be questioned;
- membership to an organisation which isn't open to the public and has commitment of allegiance and secrecy about rules, membership or conduct; and
- processing of any query or application in which they, their family, their friends or any organisation of which they are a member has a personal interest. This will also apply if the employee is closely associated with an organisation.

Examples of personal interests that will be recorded include:

- working for an organisation that may quote or carry out work for the Council;
- an external business interest where the employee is engaged by another company as employee, partner, director, substantial equity or share holder or consultant; and
- businesses that employ their direct family where they have the ability to influence a council decision to use that company's services. For example, if their spouse or partner manages a residential home, they could potentially influence the placement of council clients into the home.

Employees have a statutory obligation under Section 117 of the Local Government Act 1972, to declare any personal interests that may conflict with those of the council. Failure to declare such an interest is a criminal offence that may lead to a fine, against the employee, if convicted. It will be viewed by the council as gross misconduct, justifying dismissal.

Employees with a personal conflict of interest will complete a [Notice of Interest in a Contract](#) form and forward a copy to their Director.

Employees who have a relative or close personal friend who has an interest that could conflict with the Council's interests will complete a [Notice of business interest of relatives or associates](#) form and forward a copy to their Director.

12.3 Payments, Gifts and Hospitality

Council employees must act with the highest standards of integrity. Accepting gifts and hospitality may raise public concern and open the Council up to criticism.

The over-riding principle is that employees, or members of their immediate family, must not accept any payment, gift or hospitality that would call into question their honesty, integrity or commitment to the Council's interest. Employees must declare all gifts or hospitality

received or offered. These must be declared on the Gifts and Hospitality form which is then given to the employee's manager. When the manager has signed the form a copy will be given to the employee and the original forwarded to the Service Manager for that work area. If an employee believes an offered payment, gift or hospitality is made for the wrong reasons they must also report this to their manager.

Payments

Legally, Council employees must not accept any fee or reward other than their salary. However, if they have been asked to make a speech or give a lecture as part of their official duties, an offer of travel expenses and any necessary or reasonable accommodation and meals provided as part of this event, may be accepted. If it is agreed that a fee is accepted, it must be paid to the Council.

Gifts

The Local Government Act states that employees are "forbidden under the colour of their office and employment to accept any fee or reward other than their proper remuneration and any person who contravenes this provision would be liable to Court Proceedings". However, if a refusal of a gift would offend the donor, or adversely affect working relationships, the employee must declare this gift to their manager using a Gifts and Hospitality form. The manager will then make a decision as to whether to allow the employee to keep the gift, based on the guidelines highlighted below, or decide that the gift should be donated to charity.

- All gifts (except those detailed below) must be declared to a Service Manager. The Service Manager will then decide if the gift can be accepted, refused or donated to charity. This will protect employees from allegations of bribery or breaking the code of conduct. Which ever charity the gifts are donated to, this should be clearly identified to employees.
- Small office items, such as promotional pens, calendars or mouse mats, may be accepted and used for work purposes, without the need to declare them.
- The value of an individual, accepted, gift must not exceed £10.00. This amount will be subject to review each time the Code of Conduct is reviewed. If a number of people 'club together' to buy a gift or voucher, such as a group of service users for an employee who is retiring, this will be taken into account, with a limit of £10.00 on individual donations.

If perishable goods, such as food or flowers, are given to an employee, the employee will notify their manager immediately who will make a decision as to whether it will be kept by the individual employee or must be shared within the team or, in the case of lowers, be displayed in the office or work base. All such gifts must be registered.

In appropriate areas, a standard letter could be sent to contractors or to service users or their carers, on an annual basis, highlighting the relevant section of the Code of Conduct for Employees. A template letter is available where appropriate.

If an employee becomes aware they have been included as the beneficiary in the will of a service user, for whom the Council offers, or

used to offer, a service where there is a connection with their work, they must tactfully refuse it and report the matter to their manager to be recorded. If the employee is a relative of a service user who makes a bequest, they are entitled to accept the gift. They do not need to report this.

Celebratory gifts, such as for birthdays or weddings, bought by colleagues do not need to be declared.

Hospitality

As a general rule, offers of hospitality should be tactfully but firmly refused. However, in some cases it may be accepted, see below.

Before they accept any hospitality, employees must obtain their managers approval in advance and record it appropriately, on the Gifts and Hospitality, to ensure any council decisions are not compromised.

Examples of offers of hospitality that may be acceptable include:

- attendance at relevant conferences, seminars and courses where it is clear the hospitality is corporate rather than personal, which may include, for example, breakfast or lunch;
- attendance at relevant charity, fundraising or social events where they are part of the life of the community or where the council should be seen to be represented;
- invitations to trade fairs or similar events where there is a general invitation to customers; and
- a working lunch of a modest standard provided to allow the parties to continue to discuss business.

12.4 Sponsorship

Where the council sponsors an event or service the employee or members of their immediate family or close friends must not benefit from the sponsorship. Similarly, if an external organisation wishes to sponsor a Council activity, the rules relating to hospitality and gifts also apply. This is particularly relevant when such sponsorship is being offered by contractors or potential contractors.

If employees are involved and there is a conflict of interest they should immediately notify their manager of this. It may be appropriate to complete a Gifts and Hospitality form.

12.5 Declaration of personal interests at meetings

If an employee attends a council meeting, such as a Committee or cabinet meeting, in an official capacity, and a matter is about to be considered in which they have a personal interest they will declare this interest before any discussions start. The employee will leave the room and ensure they cannot hear the debate.

13. Health, Safety and Wellbeing

13.1 Health and safety

Employees have a legal responsibility under health and safety legislation not only for themselves but also for colleagues and others affected by their actions or failings as a council employee.

Employees may be held personally accountable for non compliance with health and safety legislation. Failure to comply may result in prosecution, fines and in serious cases, imprisonment.

Extensive guidance and advice on health and safety responsibilities is available in the Council's [Health and Safety guidance](#) documents. Failure to comply with Council health and safety policy or procedures may result in disciplinary action against the employee.

13.2 Smoke-free Council

Smoking on duty is not allowed and employees must not smoke in any building, entrances, associated car parks and perimeter grounds. In addition an employee must not smoke in any vehicle which the Council owns, rents or leases. If an employee uses their own vehicle for work purposes this must be smoke-free when used to carry passengers on council business. Further information can be found at [Smoke Free Policy and Information](#). This information includes advice on working in private residences or in residential accommodation, where residents are allowed to smoke.

Smoking includes cigarettes, cigars, tobacco pipes and herbal substitutes.

13.3 Alcohol and Substance Misuse

The Council has an Alcohol, Drugs and Substance Abuse Policy which is aimed at ensuring employees report fit for work and able to perform their duties.

The council also encourages employees to tell their manager if they have an alcohol or substance dependency problem. This will be treated sensitively and in confidence. If their manager knows, they will be able to provide reasonable assistance wherever possible, such as referring them to our occupational health provider or offering the services of the Employee Assistance Programme (EAP).

The use, possession, distribution or sale of illegal substances or drugs is not permitted and may lead to disciplinary action being taken. This may result in dismissal.

If employees are involved with illegal drugs and substances or excessive consumption of alcohol outside working hours, the council will consider if this impacts on the Council's reputation and or public confidence.

Managers may offer to provide support and assistance where this is appropriate. If management consider that the impact on the council is too great, or support and assistance is rejected, disciplinary action may be taken.

The effect of alcohol or drugs in the body may impact on an employee's ability to properly perform their duties and may also endanger the health and safety of others. Employees must be aware that alcohol or drugs may remain in the body for a period of time. The alcohol or drugs may continue to have an effect for a number of hours, such as the morning after they were taken. If employees are on call they should not drink alcohol as they may be recalled to work. Further information can be found in the [Use of drugs and alcohol at work](#) document.

The consumption of alcohol at the place of work during working hours is not permitted. The only exceptions are for special occasions, such as presentations or seasonal gatherings, when advance permission of the Director must be obtained. On such occasions the amount of alcohol available should be minimal and suitable non-alcoholic alternatives made available. Consumption of alcohol at recognised mid-morning and

mid-afternoon rest breaks is not permitted. Consumption of alcohol at lunchtime is not encouraged and employees must always stay strictly within legal drink-driving limits.

Prescribed or Over-the-Counter Medication

If an employee is taking legally prescribed or over-the-counter drugs, they must ensure that their use does not adversely affect their work performance or cause any safety concerns. Medication may cause side effects that can impair an employee's ability to do their job. Medication can cause drowsiness and affect an employee's ability to work in a safe manner particularly in high risk areas, for example driving, operating machinery or working at height. Employees must inform their manager if they have concerns.

13.4 Mobile Phones

The Council's policy is that no communication device shall be used when a driver is in charge of a vehicle. Legislation also makes it a criminal offence to use a handheld phone or similar device when driving. For more information see [Use of mobile phones, radios and GPS systems](#)

14. Media and Communications

The council uses a variety of methods to communicate messages to the public, its partners and its employees. To ensure such communications are consistent and re-enforce the Council's single identity employees must follow the guidance and advice contained in the latest copy of the [Corporate Style Guide](#).

Further advice can also be obtained from the Media and Communications Team.

14.1 Working with the Press and Media

Unless an employee has been authorised to act as an official spokesperson they must not deal direct with the press or the media, or make any other public statement. All press or media statements and requests for information on the council must be forwarded to the Media and Communications Team. Any article, publication or interview given about council policy or activity must be authorised by this team.

14.2 Social Networking Sites

If employees choose to use social media sites they must understand that their online activities could have legal implications. Information that an employee obtains during the course of their work and which is not in the public domain, can not be disclosed.

The employee must also understand that they can be individually liable for any defamatory or untrue statement that they make on social networking sites and such comments may also leave the council open to legal action.

If an employee chooses to use social media sites they must behave in an appropriate manner and consistent with the council values and principles. They must do this whether or not they choose to identify themselves as a council employee.

Further guidance and advice can be found in the [Social media policy](#)

15. Other General Matters

15.1 Intellectual Property

The Council owns and will retain its rights to ownership of all intellectual property. This will include literature, artwork, computer systems or programmes that an employee may have created or worked on.

The reproduction of this intellectual property outside the Council is unlawful, unless an employee's contract states otherwise or written permission has been given. If an employee leaves the council, this rule still applies.

15.2 Trade Union Representatives

If an employee is a representative of a Trade Union and makes public comments, they must make it clear whether they have been made on behalf of the union or association that they represent or are their own views, and not those of the Council. They must not let their personal affiliations influence the advice they give.

15.3 Professional Body

If an employee is a member of a professional body, they are expected to uphold its standards, but if they believe there is a conflict between their official role and the standards of their profession, they must raise this with their manager.

16. Reporting Breaches of the Employee Code of Conduct and Whistleblowing Policy

If an employee is concerned about any practice they see in the Council which they believe conflicts with the employee code of conduct or any other Council policy they should raise it with their manager, their Corporate Director, trade union representative or any of the following senior managers:

- Head of Legal and Risk;
- Head of HR & OD Services;
- Head of Risk Management; or
- Chief Executive

Concerns may be raised verbally, but it may be helpful if they are put in writing.

The Council's Whistleblowing Policy and other legislation provide safeguards for employees who disclose unlawful and improper conduct.

17. Further Information

Further advice and support is available from HR & OD Services. Contact details can be found on HR & OD pages on the intranet.

A directory of internal resources and external organisations and services which provide advice and support can be found at Directory .

Further information relating to the legislation which underpins this code of conduct, together with clarification on the key principles behind the code can be found at LINK

If you do not have access to the intranet please ask your manager for a copy of the above information or alternatively contact HR & OD Services.