



CHEL TENHAM

BOROUGH COUNCIL

Notice of a meeting of Standards Committee

Friday, 11 March 2011

2.30 pm

Pittville Room

Municipal Offices, Promenade, Cheltenham, GL50 9SA

Membership	
Borough Councillors:	Robin MacDonald, Les Godwin and Rowena Hay
Parish Councillors:	Gloria Coleman, David Iliffe and Paul Ryder
Independent Members:	Simon Laine (Chairman), Duncan Chittenden, John Cripps, Jon Leamon and David O'Connor

Agenda

- 1. APOLOGIES**
- 2. DECLARATIONS OF INTEREST** (Pages 1 - 2)
- 3. MINUTES** (Pages 3 - 4)
To approve the minutes of the meeting held on the 10 December 2010.
- 4. UPDATE ON THE LATEST COMMUNICATIONS FROM STANDARDS FOR ENGLAND**
- 5. STANDARDS COMMITTEE ANNUAL REPORT TO COUNCIL** (Pages 5 - 8)
To review and finalise the draft report of the Chair of Standards Committee
- 6. REVIEW OF THE CODE OF CONDUCT FOR EMPLOYEES** (Pages 9 - 34)
Report of the Human Resources Operations Manager
- 7. REVIEW OF PROGRESS AGAINST WORK PLAN** (Pages 35 - 36)
A review of future plans
- 8. LOCAL GOVERNMENT ACT 1972 - EXEMPT INFORMATION**
The Committee is recommended to approve the following resolution:

“That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining items of business as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 7C, Part 1, Schedule 12A (as amended) Local Government Act 1972, namely:

Paragraph 7C

Information presented to a Standards Committee, or to a sub-committee of a Standards Committee, set up to consider any matter under regulations 13 or 16 to 20 of the Standards Committee (England) Regulations 2008, or referred under section 58(1)(c) of the Local Government Act 2000

- 9. EXEMPT MINUTES** (Pages 37 - 38)
To approve the exempt minutes of 10 December 2010.
- 10. REPORT ON THE OUTCOME OF A COMPLAINT** (Pages 39 - 42)
To note the recent decision of a Hearing Sub-Committee
- 11. DATE OF NEXT MEETING**
Date of next meeting : 17 June 2011
- 12. ANY OTHER BUSINESS**

Contact Officer: Rosalind Reeves, Democratic Services Manager, 01242 774937
Email: democratic.services@cheltenham.gov.uk

CHELTENHAM BOROUGH COUNCIL

STANDARDS COMMITTEE

DECLARATION OF INTEREST

Member

Date _____

You are asked to complete this form if you intend to declare an interest in connection with any item on this agenda.

Please hand any completed form to the committee administrator at the meeting.

You are reminded that you are still required to declare your interest orally at the commencement of the committee's consideration of the matter.

Agenda item	*Personal interest	*Prejudicial Personal interest	**Nature of interest

Notes:

*Please tick appropriate box

**Please give sufficient information as to identify the existence and nature of the interest, for example – "This application relates to land that borders property owned by a friend of mine", "A relation of mine is a member of this body"

"Personal interests" and "prejudicial personal interests" are defined and explained in the Council's Code of Members Conduct and summarised overleaf

EXTRACT FROM THE CODE OF MEMBERS CONDUCT

Personal Interests

“8(1) A member must regard himself as having a personal interest in any matter if the matter relates to an interest in respect of which notification must be given under paragraphs 14 (*financial interests*) and 15 (*other interests*), or if a decision upon it might reasonably be regarded as affecting to a greater extent than other council taxpayers, ratepayers or inhabitants of Cheltenham, the well-being or financial position of himself, a relative or a friend or -

- (a) any employment or business carried on by such persons;
- (b) any person who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any corporate body in which such persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000 or
- (d) any body listed in paragraphs (a) to (e) of paragraph 15 in which such persons hold a position of general control or management”

Prejudicial Interests

10(1) Subject to sub-paragraph (2) below, a member with a personal interest in a matter also has a **prejudicial interest** in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member’s judgement of the public interest.

10(2) A member may regard himself as **not having a prejudicial interest** in a matter if that matter relates to :-

- (a) another relevant authority of which he is a member;
- (b) another public authority in which he holds a position of general control or management;
- (c) a body to which he has been appointed or nominated by the Council as its representative;
- (d) the housing functions of the Council where the member holds a tenancy or lease with a relevant authority, provided that he does not have arrears of rent with that relevant authority of more than two months, and provided that those functions do not relate particularly to the member’s tenancy or lease;
- (e) the functions of the Council in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where the member is in receipt of, or is entitled to the receipt of such pay from a relevant authority; and
- (f) the functions of the Council in respect of an allowance or payment made under Sections 173 to 176 of the Local Government Act 1972 or Section 18 of the Local Government and Housing Act 1989 “.

Standards Committee

**Friday, 10th December, 2010
2.30 - 3.15 pm**

Attendees	
Borough Councillors:	Les Godwin, Rowena Hay and Robin MacDonald
Parish Councillors:	Gloria Coleman, David Iliffe and Paul Ryder
Independent Members:	Duncan Chittenden, John Cripps, Simon Lainé (Chair) and David O'Connor
Also in attendance:	

Minutes

1. APOLOGIES

Apologies were received from Jonathan Leamon

2. DECLARATIONS OF INTEREST

Parish Councillor Paul Ryder declared a personal and prejudicial interest in agenda item 8 as he was well known to both parties.
Councillor MacDonald declared a personal interest in agenda item 8 as he had been on the parish council with one of the parties.

3. MINUTES

Resolved that the minutes of the meeting of 17 September 2010 were agreed as a correct record.

4. UPDATE ON THE LATEST BULLETINS AND COMMUNICATIONS FROM STANDARDS FOR ENGLAND

The Borough Solicitor and Monitoring Officer referred to the recent communications from Standards for England which had been circulated with the agenda. There was still uncertainty about plans and timescales but it was likely that there would be no national code of members conduct in the future. She emphasised that until there was a change in the law, the current regulations remained in force and therefore standards committees must continue to uphold them.

5. EMPLOYEE CODE OF CONDUCT

The Borough Solicitor and Monitoring Officer advised that Sarah Farooqi, a solicitor with One Legal, had been liaising with Human Resources to review this but there had been a delay which meant it was not ready to bring to this meeting.

In response to a question as to whether there would be any consultation with trade unions, the Borough Solicitor and Monitoring Officer confirmed that this would take place. As the changes were mainly concerned with expanding the

section on interests that employees should declare and as the code was generally recognised to be of benefit to the council's employees, she did not anticipate any difficulty with these consultations.

6. REVIEW OF PROGRESS AGAINST WORK PLAN

The committee reviewed the Standards Committee work plan 2010/11 which had been circulated with the agenda.

The Code of Conduct for employees would be brought to the March meeting along with reports from the Monitoring Officer on corporate governance and advice on attendance at other meetings of Council and parish councils.

The Borough Solicitor and Monitoring Officer advised that it would not be a good time to organise a Forum given the current uncertainty and therefore this was removed from the workplan.

Resolved that the workplan as amended be noted.

7. LOCAL GOVERNMENT ACT 1972 - EXEMPT INFORMATION

Resolved that in accordance with Section 100A (4) Local Government Act 1972 the public be excluded from the meeting for the remaining items of business as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 7C, Part 1, Schedule 12A (as amended) Local Government Act 1972, namely:

Paragraph 7C

Information presented to a Standards Committee, or to a sub-committee of a Standards Committee, set up to consider any matter under regulations 13 or 16 to 20 of the Standards Committee (England) Regulations 2008, all referred under section 58 (1) (c) of the Local Government Act 2000.

8. CONSIDERATION OF A REPORT OF INVESTIGATING OFFICER

The Committee considered a report following an investigation into an alleged breach of conduct.

The Committee invited the Investigating Officer to summarise her report and questions were asked by members of the Committee upon matters arising from the report. The Committee agreed with the Investigating Officer's findings that in this particular case no breach of the code had occurred.

9. DATE OF NEXT MEETING

The date of the next meeting will be Friday 11 March 2011 at 2:30 p.m. in the Pittville Room at the Municipal Offices.

10. ANY OTHER BUSINESS

None

Chairman

ANNUAL REPORT APRIL 2010- MARCH 2011

Rough Draft

My Report this year, my fourth, is rather different from previous ones. We have been less busy than in recent years, which makes for less for me to say, but the imminent demise of Standards for England, the national supervising body, and changes to be imposed on the standards régime throughout the country give you, the Council, something to think about and discuss. But first to the mundane.

Membership

There have been several changes, although the independents (i.e. non Borough or Parish Councillors) have remained. Sadly, there has been one death, of Parish Councillor Barrie Lewis, to whom I tender posthumous thanks for his service. Local elections and Cabinet appointments account for other changes, but if I can single out one departure it is that of Parish Councillor Stuart Fowler who had served four years and whose time was therefore deemed to be up. This was not a statutory requirement but "accepted practice". While there is obvious merit in having a steady turnover in any committee, my feeling is that, if a Standards Committee is to continue to exist, Councillors should be able to serve more than four years. With the relatively few cases in this locality that actually come before us, gaining experience is a slow process, and so just as legs are comfortably under the table they are currently required to walk away. I therefore regard Councillor Fowler's departure as regrettably premature; he served the Committee admirably and was a much valued voice of sense and wisdom.

Visits

Previously it has been the custom for independent members to pay occasional random visits to your meetings and to those of the five parish councils. This past year we have put a brake on that, in order to consider further the role of Committee members in attending meetings and being clear to avoid potential conflicts of interest should a complaint arise from any occurrence at such a meeting. This matter will need to be considered afresh once the future of the conduct regime and the role (if any) of a Standards Committee in relation to Parish Councillor conduct has been clarified.

Birmingham Conference

At this point I usually have a few remarks on this national event in October, where one can learn how others are doing it and be told how one should do it. However, it was cancelled last year as Standards for England started to wind down.

Meetings and scrutiny of new legislation

We shall have met the usual four times by the end of this month.

The new Code of Conduct that was hovering below the horizon at the time of my Report last year has remained there and is now not expected ever to emerge. The most significant document we considered was the Draft Protocol for Member/Officer Relations. It was fundamentally in good shape, but fresh eyes can nearly always detect something slightly awry, and we did suggest a few minor "tweaks". I understand that it is now in force. By the time this Report is issued we shall also have reviewed the Code of Conduct for Employees in the light of a Report from the Monitoring Officer.

Complaints

There have been only a few referred to us this past year, and again none of them was of such a serious nature that we felt it necessary to refer it to Standards for England. The Standards Committee upheld two investigating officer reports recommending "no breach". One complaint was reported to a full hearing and one breach of the Code of Conduct was identified.

Training

The Monitoring Officer gave us an extensive and comprehensive session, primarily aimed at those relatively new to the Committee, but equally valuable to older hands who thought they knew it all. She also conducted a training session for all members of one of the Parish Councils. This training was undertaken in accordance with a decision of a Standards Sub-Committee following the

consideration of a number of complaints relating to a member of the Parish Council and was well attended and generated positive feedback.

The Future

As Private Fraser would have said: "We're all doomed". Actually not necessarily, but very probably. The Government plan, as mentioned previously, is to abolish the national body Standards for England. The legislation is some way off being passed but it may well happen before the end of this year. Standards for England seem resigned to their own extinction and, although still handling cases referred to them, they are shedding staff and have ceased to issue Bulletins. But until they disappear we carry on as usual. However, there will then be a choice to be made. You can disband us and do without a Standards Committee entirely, or you can establish another, differently constituted one.

Until about ten years ago you did not have a Standards Committee and I do not think many in this council area felt terribly deprived. And if you reverted to that I doubt that there would be a major outcry. It would save a bit of money and in this period of financial strain, it could perhaps be sold as a justifiable cut. However, if you continue to have a Standards Committee, one interpretation of what little has been released so far is that its membership may have to be confined to Councillors, and its powers, especially on the penalties it can impose (which are not presently that great anyway), will be even more limited. The expression "Paper Tiger" comes to mind. At risk of being thought biased on this, the absence of independent members such as myself (who lives outside your boundaries and can view your affairs with detachment) may not play well with the public, for self-policing is not generally seen as the best form of policing.

It is not clear how much autonomy a local Standards Committee will be given. Although a "local" code of conduct is envisaged, having already set down limits on what penalties can be meted out under it, and having restricted the membership of the committee, one wonders how far central government will allow local councils to decide what goes into their own Code of Conduct. Local is a word with ill-defined boundaries, and can mean what Government wants it to mean. I attach a summary produced by the Standards Board for England on the issues for Standards arising from the Localism Bill.

In short, there is a tricky decision to be made, not now but later this year. I would suggest that we all wait until there is more detail available about the Government's intentions. The current Standards Committee will, I am sure, be willing to provide a recommendation to the Council on action to be taken once the anticipated legislation has emerged.

Conclusion

This may well be my final Report. It has been an interesting and mostly enjoyable experience to have been a member and then Chairman of your Standards Committee. But it has had its frustrations when a complaint has had to be dealt with. The procedure was imposed from above, had to be followed, and could prove lengthy, expensive, and possibly out of proportion to the gravity of the real or perceived wrongdoing. So if you get the chance, streamline it!

Finally, my thanks to the Monitoring Officer, Sara Freckleton, the Democratic Services Manager, Rosalind Reeves, and the other officers who oil the wheels of the Standards Committee so efficiently.

Localism Bill A brief summary of Chapter 5: Standards

1. The main provisions for the abolition of the standards regime are contained in Chapter 5 of the Localism Bill introduced into Parliament on 14 December 2010. Further provisions are set out in Schedules 4 and 24.

2. The Bill abolishes the standards regime overseen by the Standards Board for England, including the Model Code of Conduct for members of relevant local authorities in England and their standards committees. The abolition arrangements also affect the First-tier Tribunal (Local Government Standards in England) under the jurisdiction of the Ministry of Justice because the Tribunal will receive no further cases after those that it is already dealing with on the abolition date have been determined.

3. Authorities will be under a duty to promote high standards of conduct. The new arrangements for standards to help them comply with this duty will in part be voluntary, and in part mandatory, with criminal sanctions where certain interests are concerned. The Bill also makes provision for transitional arrangements regarding the Standards Board and ongoing cases.

4. The Standards Board for England will no longer exist and none of its functions will transfer to any other body. There will no longer be a requirement for relevant authorities to adopt a code of conduct for their members or to appoint standards committees, and there will be no mandatory enforceable code of conduct for members that they have to undertake to follow when they take up office (i.e. elected or appointed).

5. The relevant authorities that will be affected by the abolition of the current regime and the new arrangements cover 'relevant authorities'. These include authorities other than local councils - for example, police authorities in England and Wales until they are abolished (subject to the current Police Reform and Social Responsibility Bill being passed by Parliament). Relevant authorities will continue to include Parish Councils, but they will be responsible for their own standards instead of the relevant district or county authority.

6. Matters relating to standards will be the function, i.e. responsibility, of the relevant authorities but no function can be delegated to an executive (sometimes referred to locally as a cabinet), and the adoption of a voluntary code must be done by the authority as a whole.

7. There will still be a requirement, expressed as a duty, to promote high standards of conduct, but this will now be the function of the authority and not standards committees.

8. The duty and any voluntary arrangements adopted by an authority still only apply to members of authorities who can vote. This means that voting co-opted members will be covered by any new arrangements, but non-voting co-opted members will not.

9. Relevant authorities can create a voluntary code either by revising an existing code or adopting a code to replace an existing one. Because the code is voluntary, an authority can also withdraw an existing code without replacement. The authority can publicise what it has done about the code as it sees fit.

10. Where an authority has adopted a code, it can put in place any procedure it wishes to deal with complaints and take any action it sees fit, although this may exclude suspension or disqualification as these sanctions are expressly forbidden by provisions relating to how the council deals with failure to register or declare interests.

11. The arrangements regarding interests and criminal sanctions will be dealt with by way of Regulations issued by the Secretary of State, and the main requirement to maintain a register will remain with the monitoring officer for authorities which have monitoring officers. Although the Bill allows a specified person in parish councils to be responsible for maintaining a register, it may be that the regulations could specify that this responsibility will remain with monitoring officers for parish councils in their area.

12. The Regulations will be able to specify –

- The interests to be registered
- The requirements for disclosure
- Participation in decision-making
- Dispensations
- Sanctions (but these cannot include suspension or disqualification) and
- Access and publicity arrangements for a register.

13. Prosecutions in relation to interests can only be brought with the consent of the DPP. Offences can only be dealt with in the Magistrates Court, and will relate to:

- a failure to register without reasonable excuse;
- a failure to disclose without reasonable excuse; and
- taking part in relevant authority business (which could be wider than taking part in formal meetings).

13. Sanctions available to the court on conviction are

- A fine, the current maximum for which is £5,000
- Disqualification for up to 5 years from any relevant authority or from standing or becoming a member.

The time limit for prosecutions is 12 months from when the prosecutor decides there is sufficient evidence to support a case, but no later than 3 years from when the offence occurred.

14. The transitional provisions will be made by secondary legislation and are referred to mainly in Part 2 of Schedule 4. Part 1 consists of amendments of specific legislation which mentions the Standards Board. Transitional provisions refer to property and assets of the Standards Board and arrangements for cases.

15. There is still much to be made clear on how some of these matters are to be dealt with in practice and how they link with existing legislation and the general law, particularly in relation to misconduct cases decided before the LGA 2000 came into force.

**Cheltenham Borough Council
Standards Committee – 11 March 2011
Revised Code of Conduct for all Employees at Cheltenham
Borough Council**

Accountable member	Cabinet Member Corporate Services, Councillor Colin Hay
Accountable officer	HR Operations Manager, Julie McCarthy
Accountable scrutiny committee	N/a
Ward(s) affected	N/a
Executive summary	The public is entitled to expect the highest standards of conduct from all employees who work in local government. The existing Code of Conduct for Employees (The Code) has remained essentially unaltered since October 1994. The Code has been revised following the Review Working Group recommendation to Council, following the KPMG report, that Standards Committee/Council make an appropriate amendment to the Employees Code of Conduct to ensure that Officers who have an interest in any matter which would, in the case of any Member of the Council, amount to a “prejudicial interest”, should not participate in or seek to influence the outcome of that matter. While undertaking this work it was thought appropriate to also update the entire Code.
Recommendations	That the Committee approve the revised Code and recommend to Council that the revised Code be adopted.

Financial implications	<p>None arising directly from this report but by ensuring that all employees are familiar with its contents we will seek to minimise the Council’s risk in relation to fraud, corruption and misadministration at the hand of its employees.</p> <p>Contact officer: Paul Jones email paul.jones@cheltenham.gov.uk, Telephone contact number: 01242 775154</p>
Legal implications	<p>The Code has been amended to make clearer the requirements upon staff with regard to conduct. The Code will work in tandem with other codes and procedures that govern employees. This code has been amended in particular to make the guidance on conflicts of interests clearer.</p> <p>Contact officer: Sarah Farooqi, email: sarah.farooqi@tewkesbury.gov.uk, Telephone Contact number: 01684 272693</p>

HR implications (including learning and organisational development)	<p>The Code will form an important part of an employee's contract of employment with the Council. It will apply to all staff, regardless of employment status. The Code will provide a transparent framework against which appropriate behaviour can be measured. Consultation with the recognised trade unions has been undertaken and feedback received is that the revised document is very comprehensive and informative. The HR Advisors will work closely with managers and employees to ensure that the code is fully understood and adhered to at all times.</p> <p>Contact officer: Julie McCarthy email: julie.mccarthy@cheltenham.gov.uk, Telephone Contact number: 01242 264355</p>
Key risks	<p>The implications are positive ones. The Code is intended to ensure high standards from employees and ensure that there are no conflicts between employees' private interests and their duty to the Council, particularly where this could adversely affect the Council's interests or in any way weaken public confidence in the conduct of the Council's business.</p>
Corporate and community plan Implications	<p>Good governance means that we have the right systems, processes, cultures and values in place, to ensure that we account to, engage with and, where appropriate, lead our communities. It also means that our employees will conduct themselves in accordance with the highest standards of conduct.</p>
Environmental and climate change implications	<p>None</p>

1. Background

- 1.1 At the Council meeting on 22 March 2010 the Review Working Group recommended to Council, following the KPMG report, that Standards Committee/Council make an appropriate amendment to the Employees Code of Conduct to ensure that Officers who have an interest in any matter which would amount to a "prejudicial interest", should not participate in or seek to influence the outcome of that matter.
- 1.2 A review has taken place of the existing Code as well as examples of Codes from other local authorities and an amended Code of Conduct for Employees has been prepared.
- 1.3 Sound corporate governance demands that strategies are in place to ensure that we make our expectations of our employees clear, and have fair and transparent ways of dealing with instances where behaviour falls below expectations. The most appropriate way for this to occur is through the adoption of the Code.
- 1.4 The existing Code has remained essentially unaltered since October 1994. One of the recommendations from the Standards Committee Review Working Group agreed by Council on 22 March 2010 was to review the Code.
- 1.5 The refreshed Code is based on Cheltenham Borough Council's existing Code together with good practice and example policies from other authorities.
- 1.6 Implementation and ongoing application of this refreshed code of conduct will be monitored by the HR Manager Operations and will be reviewed in line with changes in legislative requirements.

2. Reasons for recommendations

- 2.1 The public is entitled to expect the highest standards of conduct from all employees who work

local government. The revised Code outlines existing laws, regulations and conditions of service and provides further guidance to assist employees in their day-to-day work. The Code is produced in the light of the challenges that employees face in the new and more commercially oriented environment.

- 2.2 To implement the decision of the Council on the 22 March 2010 that the Standards Committee be requested to review the Code of Conduct for Employees to ensure that Officers who have an interest in any matter which would, in the case of any Member of the Council, amount to a “prejudicial interest”, should not participate in or seek to influence the outcome of that matter.
- 2.3 This Code lays down minimum standards for employees which will help maintain and improve standards and protect employees from misunderstanding or criticism. Failure to meet such standards can result in adverse public comment to the detriment of the Council and the service and in certain circumstances can have serious consequences for the employee and put his/her job at risk.
- 2.4 Although the Code cannot be exhaustive it contains sufficient guidance to make employees aware of what is required. If circumstances arise which leave an employee in doubt as to what should be done, he or she should immediately arrange to obtain advice from his or her manager or an appropriate Senior Officer.

3. Alternative options considered

3.1 None

4. Consultation and feedback

4.1 Formal consultation has taken place through the Joint Consultative Committee which includes local and regional representatives from Unison and GMB, representatives from HR and two SLT representatives.

Report author	Contact officer: julie.mccarthy@cheltenham.gov.uk, 01242 26 4399
Appendices	<ol style="list-style-type: none"> 1. Refreshed Code of Conduct for all Employees of Cheltenham Borough Council. 2. Existing Code of Conduct for all Employees of Cheltenham Borough Council
Background information	Not applicable

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Code of Conduct

For all Employees at Cheltenham Borough Council

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Why you must read our Code of Conduct

Cheltenham Borough Council expects every employee to behave in a highly professional manner. That's why you need to read and understand the Code of Conduct as it outlines the standards we expect from you while you are at work.

A question and answer section is included at the end of the document.

Once you have read the Code of Conduct you need to confirm that you have done so. Please complete the details below.

If there are parts of the Code that you do not understand, ask your line manager to explain it to you. They may refer you to other policies and procedures or refer your query to their divisional director or a human resources advisor.

I have read and understood the Cheltenham Borough Council's Code of Conduct.

Name

.....

Signature

.....

Date

Division

.....

Once you have read the Code please complete and sign the above declaration, please pass it to your line manager to be forwarded to the Human Resources Team.

Data Protection

The information you provide will be used to store on file and may be shared with other service areas for statistical purposes.

Thank you.

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Code of Conduct for all Employees Cheltenham Borough Council

1 What is the Code of Conduct?

This Code of Conduct is designed to provide guidance about what is expected from you in your daily work and in your dealings with elected members, colleagues and the public.

All Council employees must be familiar with the Code of Conduct.

This document forms part of your contract of employment and you are required to comply with its contents. Failure to do so may result in disciplinary action, which could include dismissal.

Cheltenham Borough Council's code of conduct:

- sets out minimum standards of behaviour for employees;
- provides guidelines to help maintain and improve standards;
- aims to protect the reputation of both employees/workers and the council.

This code of conduct is not exhaustive and does not replace the general requirements of the law, common sense and good conduct. The code is intended to be used alongside other council policies, to guide you in your role.

2 Who does it apply to?

The Code applies to all employees and anyone acting as an employee of Cheltenham Borough Council. (to clarify - the use of the word 'employee' within this code includes permanent and temporary employees, casual workers and agency staff) Inevitably, some of the issues covered will affect some employees more than others.

Although the Code does not directly apply to contractors, consultants or volunteers, the Council's continued association with these individuals and/or their organisations requires them to observe and comply with the Code. However, in some instances, compliance may be a condition of the contract between a third party and the Council, in which case their compliance with the Code would be binding.

If you are unsure about any aspect of the Code, please raise it with your manager or supervisor at the earliest opportunity.

3 What can I expect from the Council?

The Council exists to provide services to the public. All these services are delivered by people - the Council's employees. For the Council to run efficiently, it's vital that you understand your work and your responsibilities whilst at work. You also need to understand how your activities outside work may affect your ability to do your work during working hours.

So that you are clear about your responsibilities, the Council has various rules, procedures and policies that affect all employees. Some of these originate from European Law, others from UK Law implemented by Central Government, and others that are specific to the Council. There may also be very particular rules, requirements or codes that apply to your job or work area.

4 What is my responsibility?

The principles that underline this code are:-

- **Selflessness** – officers should only serve the public interest and should never improperly confer an advantage or disadvantage on each other or any person.
- **Honesty and Integrity** – officers should not place themselves in official situations where their honesty or integrity may be questioned. They should not behave improperly and should on all occasions avoid the appearance of such behaviour.
- **Objectivity** – officers should make decisions on merit including making appointments, awarding contracts or recommending individuals for rewards or benefits.
- **Accountability** – officers should be accountable to the public for their actions and the manner in which they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their particular office.
- **Openness** – officers should be as open as possible about their actions and those of their authority and should be prepared to give reasons for those actions.
- **Respect for others** – officers should treat each other and the public with respect by promoting equality by not discriminating unlawfully against any person and by treating people with respect regardless of their race, age, religion, gender, sexual orientation or disability.
- **Duty to uphold the law** – officers should uphold the law and on all occasions act in accordance with the trust that the public is entitled to place on them.
- **Stewardship** – officers should do whatever they are able to do to ensure that their Authority uses its resources prudently and in accordance with the law.
- **Leadership** – officers should promote and support these principles by leadership and by example and should act in a way that secures or preserves public confidence.

You need to:

- read this policy;
- ensure you understand it;
- ask if there are any points that are unclear;
- use this code of conduct, alongside other council policies, to guide you in your role.

Please note: A breach of this code of conduct may lead to disciplinary action which could result in dismissal. Please refer to the disciplinary procedure for more information.

5 What are the main points?

5.1 Introduction

The public are entitled to expect the highest standards of behaviour from local government employees.

You represent the council and are trusted to act in a way which promotes the council's interests and protects its reputation.

You are accountable for your actions and should ask your manager for advice if you are not sure of the appropriate action to take.

5.2 Personal Interests and Conflicts of Interest.

An employee must not in his or her official or personal capacity allow his or her personal interest to conflict with the Council's business and /or use his or her position improperly to confer an advantage or disadvantage on themselves or any person.

Conflicts of interest may occur if a decision of the council could affect you, or close friends and relatives, either positively or negatively.

An employee must not be involved in any matter where they have a personal interest (or where their partner, spouse or close relations has a personal interest) which is so significant that it may influence their judgement or give the appearance that their judgement is likely to be influenced.

Interests could include:-

- involvement with businesses which have existing or proposed contracts with the council;
- membership of organisations or groups which may oppose council policies;
- roles undertaken outside of work (e.g. acting as a school governor, a member of an NHS trust board)

If a conflict occurs between an employee's private interest and public duty the conflict must be resolved in favour of an employee's public duty.

You should ask yourself the question "Would a member of the public think that my family or I would benefit from the connection between my personal interest and my employment with Cheltenham Borough Council?"

If the answer is yes then you must declare the interest using the [online form](#) - Employees Register of Interests and Disclosures or in writing to the **Monitoring Officer**.

Any financial or non-financial interests of employees (or their partner, spouse, or close relations) which could cause conflict with the authority's interests and which in particular could conflict with their own duties and responsibilities e.g. ownership of property or shares in matters affected by any project in which they may be involved must be disclosed using the [online form](#) - Employees Register of Interests and Disclosures.

Under section 117 of the Local Government Act 1972 you must also disclose any interest in an existing or proposed contract in writing as soon as is reasonably practicable.

5.3 Political neutrality, Professional and Trade Union Activity

You should ensure that your right to engage in political or professional activities does not result in an actual or perceived conflict of interest with your official duties with the Council.

You should ensure that you are able, and be seen to be able, to remain unbiased in the performance of those duties.

You must not allow your own personal or political opinions to interfere with your work. Council employees serve the Council as a whole and in carrying out your work you must be politically neutral, ensuring that individual rights of all elected Members are respected.

Mutual respect between employees and councillors is essential to good local government.

Close personal familiarity between employees and elected Members can damage the relationship and cause embarrassment to other employees. Such familiarity should be avoided.

The Council has agreed a Protocol for Member/Officer Relations that councillors and officers must comply with. The protocol provides guidance on the ways of working between employees and members.

Councillors have their own Code of Conduct that they are also required to comply with.

In your capacity as a Council employee, you should not attend meetings of political groups unless specifically authorised by the Chief Executive or your Divisional Director. Such neutrality does not mean that you cannot be a member of a political party.

You must respect the individual rights of all councillors and assist them, regardless of their political group, to carry out their responsibilities. Any advice given should be impartial, objective and helpful.

When engaged on council business you must not wear or display items (badges, banners etc.) which indicate your support or opposition to any political party.

Under the Local Government & Housing Act 1989 certain employees are in politically restricted posts which restricts their political activities outside of work. These restrictions form part of their contract of employment and post holders receive full details on appointment.

If you are a member of a profession, you are expected to uphold the standards of performance and conduct set by the relevant professional association and this Code of Conduct. However, it is noted that there can be exceptions to this where there is legislative authority to do so.

If you believe a conflict exists between your official role and the standards of your profession, you must raise your concerns with your line manager.

If you are a workplace representative of a trade union or professional association, you should ensure that when you make public comment, it is clear that comment is made on behalf of the union or association you represent and not the Council. Provisions relating to Facility Time to undertake official union roles are outlined in the Council's Facility Time Agreements.

If you are a member of any organisation not open to the public and in respect of which secrecy about rules or membership or conduct exists you must disclose this on the Employees Register of Interests and Disclosures.

5.4 Working with the Local Community and Service Users

Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policy statements of the authority.

5.5 Working with Contractors

All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the appropriate manager.

Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses operated or controlled by, for example, friends, partners or relatives in the tendering process.

No part of the local community should be discriminated against.

Employees 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 who is engaged or who is proposed to be engaged by the Authority, should declare that relationship to the appropriate manager as soon as practicable.

5.6 Working Safely

Any activity that presents a significant risk to the health, safety or well-being of an employee or other person must have been subject to a written risk assessment. This is a tool which managers must use to determine the safest and best way of carrying out the work, including appropriate training, personal protective equipment etc.

Appropriate safety controls should all be summarised on the risk assessment or safe system of work procedure and provided to the relevant employees.

Employees must follow the resulting safe system of work to ensure their safety and that of others is not put at risk. If these are not in place, speak to your manager in the first instance or your Health and Safety adviser.

5.7 Outside Commitments

Employees' off-duty hours are their personal concern but activities outside of work should not conflict with their duty to the council.

Employees on grade G or above must obtain written consent from their divisional director before engaging in any other business or accepting additional employment.

Any additional employment should not conflict with the council's interests or have the potential to bring the council into disrepute.

You may not set up a business, or accept a job with a business, which is in direct competition with the council.

If you work for another organisation you may not act as a messenger between that organisation and the council. Formal channels of communication must be maintained.

Any secondary employment must not be carried out during your contracted council working hours, nor whilst on standby for official call out purposes unless such employment can be undertaken from your home.

It is your responsibility to monitor the number of hours you work and to ensure that you are rested and refreshed and able to carry out your role. On average you should not work more than 48 hours in total each week unless you have opted out of the working time regulations.

5.8 Confidentiality

You must take all reasonable steps to ensure that the loss, destruction, inaccuracy or improper disclosure of information does not occur as a result of your actions.

You must not disclose personal or financial information about any other member of staff or service user without the express consent of that individual or authorisation from your corporate director.

Confidential information, belonging to the council, should not be disclosed to any person not authorised to receive it.

Employees who are privy to confidential information and tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.

You must not use any information obtained in the course of your employment to cause damage to the council or for personal gain or benefit. Nor should you pass information on to others who may use it in such a way.

5.9 Time, facilities and publications

You must spend all of your contracted hours working for the council.

You may not make personal use of the council's property or facilities (stationery, photocopiers, car parks etc.) unless authorised to do so by your manager. Computers and software may only be used in line with the Email, Internet and Computer Use policy.

You may only use the council telephones to make or receive private calls in exceptional circumstances, and with the permission of your manager.

Any public funds entrusted to you must be used in a responsible and lawful manner.

If you want to publish any material which you have written in connection with your duties or in which you describe yourself as holding a position within the council you must first gain the consent of your divisional director.

If, in the course of your work, you create a copyright work (for example a procedures manual or a software programme); patentable invention; design capable of registration; this would become the property of the council and, if appropriate, you would be required to cooperate in the registration formalities.

5.10 Equality

The council is firmly committed to the principles of equality and diversity and has a positive duty to promote these within the community it serves.

You must treat colleagues, clients and customers with respect, do not discriminate unlawfully against any person and treat members and co-opted members of the authority professionally.

Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

If you have any involvement in making appointments you should ensure that your decisions are based only on the ability of the candidate to undertake the duties of the post.

If any applicant is a close personal friend or relative you should not be involved in the recruitment appointment process.

You should not be involved in any decisions relating to discipline, pay or promotion of close personal friends or relatives.

5.11 Dealing with the Council's money.

All employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Council.

Should you have responsibility for budgets and/or purchasing, you must ensure that you understand and comply with the Council's Standing Orders and financial regulations etc.

When committing Council money, you must ensure that there is an approved budget for such expenditure and that the expenditure is within the limits that you are personally authorised to incur.

Employees involved in the tendering process and dealing with contractors must be clear on the separation of client and contractor roles within the Council. Senior employees who have both a client and contractual responsibility must be aware of the need for accountability and openness.

Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

You must declare any financial interest, whether direct or indirect, that you or your partner may have in any contract or proposed contract with the Council.

You should also consider declaring non-financial interests, for example, where you do voluntary work for an organisation in receipt of a grant from the Council. If you are in any doubt then you should make a declaration.

5.12 Gifts, Hospitality and Sponsorship

You must not accept any fee or reward for work done other than your pay and allowances as set out in your contract of employment except as set out in paragraphs 36 and 37 below.

It is an offence under the Prevention of Corruption Acts to accept gifts, loans, fees or rewards as an inducement to act in a certain way in your official capacity.

You may accept small items (e.g. inexpensive pens, diaries, flowers, chocolates) but they must be registered.

You may only accept an offer of a more significant gift (as a guide worth more than £25) or hospitality (e.g. visits, meals, sporting events etc.) if there is a genuine need to do so in order to represent the council in the community.

Gifts, benefits and hospitality offered to you or members of your family as a consequence of your employment must be declared using the [online form](#) or in writing to your manager whether accepted or not.

You should never accept significant gifts or hospitality from service users, actual or potential contractors or outside suppliers.

If an external organisation wishes, or is sought, to sponsor a council activity the rules concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors. Your divisional director must be involved in any decision.

Where the council wishes to sponsor an event or service no employee or member of their family must benefit unless full disclosure of interest has been made to the relevant corporate director. All sponsorship must be recorded.

5.13 Corruption

Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in their official capacity.

If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

Employees who are in receipt of or affect the receipt of Housing Benefit and/or other related benefits (i.e. Income Support, Unemployment Benefit, Incapacity Benefit, etc.) must be aware that the obtaining of such benefits by deception would be considered as theft against the Authority as the employer and would therefore constitute Gross Misconduct under the Council's Disciplinary Code of Practice.

In relation to above, employees must provide the Human Resources team with details of their home address or in cases where more than one address is frequented the address that they normally class as their home. This does not include c/o addresses unless there are special circumstances which management have been made aware of and are satisfied with. Similarly, changes of name should also be notified to the employing department.

5.14 Standard of Appearance, Uniform and PPE

There is a general expectation that standard of appearance will be appropriate to the standards set by managers of individual service areas.

Your dress style must reflect appropriate workplace health, safety and security considerations applicable to your job and work environment.

Uniforms are provided for some employees and these should be worn unless otherwise agreed with the divisional director

Suitable personal protective equipment will be issued and must be worn where a risk assessment indicates it is appropriate.

5.15 The Press and the Media

Employees must not deal direct with the press or the media unless required to do so in the course of their work or they have been expressly authorised by an appropriate manager.

Approaches from all national press, radio or TV stations or specialist press for information or comment on issues affecting the work of the Council must be referred to the Communications Team who will discuss the nature of the story and then contact the appropriate officer or member asking them to respond.

Any article, publication, or interview given on aspects of Council policy or activity must be properly authorised

5.16 Criminal Charges, Convictions and Misconduct

Employees should conduct themselves in a professional manner at work. Serious misconduct and/or criminal offences committed during or outside of working hours which bring you or the council into disrepute may be the subject of disciplinary action which could lead to dismissal.

The Council requires all applicants for jobs to disclose all contraventions of, or failures to comply with, any provisions of law, whether committed in the UK or elsewhere, unless the Rehabilitation of Offenders Act applies and the rehabilitation period has expired. In some circumstances, Criminal Records Bureau checks are conducted on all successful applicants for certain positions in the Council.

Once you are an employee, you must notify the Council in writing if you are charged with any offence or if you are convicted of any offence. If you are charged with an offence, the notice must be given immediately after you are charged (i.e. next working day). If you are convicted of any offence, the notification must be given immediately after you are convicted (i.e. next working day). It should be noted that the term "conviction" includes a finding of guilt, regardless of whether or not a conviction is recorded. Failure to notify the Council in either case will constitute grounds for disciplinary action.

6. Are there any exemptions?

No – however some parts of the code of conduct will have more of an effect on senior, managerial and professional employees than others.

Many employees are responsible under their own professional codes of conduct. In cases where professional codes of conduct appear to conflict with the council's own code advice should be obtained from your divisional director.

7. What happens if the content of the Code changes?

The Council will take every reasonable step to ensure that the Code of Conduct is kept up to date. The most up to date version will always be the one that is available on the Intranet site. Changes to the Code will be consulted on with Trade Unions and widely communicated.

8. Reporting Breaches of the Code and Whistleblowing

If you are concerned about any practice you see in the Council which you think conflicts with the Code of Conduct, you should obtain advice from your manager, your divisional director, Trade Union representative, HR Operations Manager or any other appropriate person as identified in the Council's policies referred to in the Code of Conduct.

The Public Interests Disclosures Act 1998 and the Council's Disclosure (Whistleblowing) Policy can provide safeguards for employees and public officials who disclose unlawful and improper conduct including breaches of this Code.

Any suspicion of money laundering must be reported in the first instance to the Section 151 Officer.

9. Line manager responsibilities

You should provide additional advice and guidance on any points within the code of conduct.

You should signpost employees to relevant policies, documents and guidelines.

10. Where can you find details of the policies and standards that apply to you?

There are a number of related documents and policies which you should be aware of:

- Cheltenham Borough Council's Constitution
- **Communication/Media relations protocol**
- Whistle blowing policy
- Internet, Email and Computer use policy
- Data protection policy
- Dignity at work policy
- Equal opportunities policy
- Disciplinary procedure
- Grievance procedure
- Financial Regulations
- Standing Orders

If you are affected by any of the information contained in this document or you are in any doubt about how they apply to you, you should always refer to the detailed rules or the policies and procedures in full in any of the following ways:

- You can ask for a paper copy from your line manager or supervisor
- You can contact a member of the HR Team and either ask for it to be emailed to you or for a paper copy
- Through your New Starter induction process
- You can find the information on the Council's Intranet site, in the HR section.

Frequently asked questions

Q1 What should I do if I know that someone is breaching this code of conduct?

Often it is those closest to an organisation who realise that there is something wrong. Sometimes people are reluctant to act upon their concerns because they think that they are being disloyal, or because they are afraid that they might be victimised if they speak up.

The council has in place a whistle blowing policy to enable employees to raise concerns in an appropriate manner and to ensure that they do not suffer any detriment as a result of doing so.

Q2 Can my partner's business tender for a contract?

The code of conduct does not preclude anyone from having the opportunity to tender for business. However the process must be, and be seen to be, fair open and transparent. To this end you would need to make your manager aware of your interest, take no part in the tendering process and ensure that you do not pass on any information which would give that business any advantage in the process.

Q3 Can my relative apply for a job in the council?

Yes. They can apply and would be considered on the basis of their suitability for the role. They should declare their relationship to you on the appropriate section of the application form.

If you are involved in recruiting for the role you should not be involved in any stage of the appointment and should disclose the relationship as soon as you are aware they are applying for the role so that someone else can be assigned to the appointments process.

Q4 Can I take an evening job?

Employees on Grade G (spinal point 30) and above must obtain the consent of their divisional director prior to taking on any additional work. Employees below this grade need not seek permission.

In all circumstances employees must remember:

- They should not do work which is in direct competition with the council;
- The work they are doing should not bring the council into disrepute;
- They may not act as a "go-between" between the council and the other business;
- They must not undertake other work when they are on duty for the council, including during standby or call out duties unless the work can be undertaken from home;
- That they are responsible for ensuring they get enough rest and do not exceed working time regulations.

Q5 One of my clients bought me a box of chocolates – should I accept them?

Generally gifts which are of low value (under £25) can be accepted. You should be guided by the procedures within your own team and by common sense.

Regardless of whether the gift is accepted or not it must be registered using the [online form](#) or alternatively in writing to your manager.

Q6 Can I accept discounts because I work for the Council?

Discounts which have been formally agreed and accepted by the council on behalf of their employees can be found on the social section - [employee discounts](#) pages of the intranet.

Any other discount offered should be treated in the same way as gifts and hospitality and generally should not be accepted.

Q7 Can I campaign for a political party outside of work?

If you hold a politically restricted post you may not

- be a candidate for membership of the European Parliament, the House of Commons, or a County or District Council;
- hold office in a political party;
- canvass at elections;
- speak or write in public on party political matters.

You may be a member of a political party but not actively campaign.

If your post is not politically restricted you may campaign on behalf of a political party however when engaged on council business you must remain politically neutral and not allow your personal or political views to interfere with your duties.

Q8 What types of interests should be declared?

An interest is anything which could cause a reasonable member of the public, knowing all facts, to think the officer might be influenced when making a decision in the course of their work.

Interests could include:

- Land or property ownership
- Relationships with people involved
- Acting as a school governor
- Involvement with an organisation or pressure group which may oppose a council policy

Individuals are free to take part in activities organised and authorised by the Trade Unions without declaring an interest.

Q9 Can I use the photocopier at work to make personal copies?

You should get authorisation from your manager before using any work facilities for personal use.

Q10 The code of conduct doesn't cover my specific situation, what should I do?

In the first instance seek advice from your manager. They may refer you to other policies and procedures or refer your query to their divisional director or human resources advisor.

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CHELTENHAM BOROUGH COUNCIL**CODE OF CONDUCT FOR EMPLOYEES**

1.0 INTRODUCTION

1.1 This Code of Conduct is based on the draft Code published by Local Government Management Board and highlights the commitment of Cheltenham Borough Council and its employees to the highest standard of conduct for employees.

1.2 The Code reflects existing laws, regulations and conditions of service and provides further guidance to assist employees in their day-to-day work.

2.0 STANDARDS

2.1 Local Government employees 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 Councillors and fellow employees with, impartiality. Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service. Employees must report to the appropriate manager any impropriety or breach of procedure and where it is possible to achieve it the identity of the employee disclosing this information will remain protected.

3.0 DISCLOSURE OF INFORMATION

3.1 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.

3.2 Employees should not use any information obtained in the course of their course of employment for personal gain or benefit nor should they pass it on to others who might use it in any such way. Any particular information received by any employee from a councillor which is personal to that councillor and does not belong to the authority should not be divulged by the employee without the prior approval of that councillor, except where such disclosures are required or sanctioned by law.

4.0 POLITICAL NEUTRALITY

4.1 Employees serve the authority as a whole. It follows that they must serve all councillors and not just those of the controlling group and must ensure that the individual rights of all councillors are respected.

4.2 Where employees are required to advise political groups they must do so in ways that do not compromise their political neutrality.

4.3 Employees, whether or not politically restricted, must follow every lawful expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work.

4.4 Political assistants appointed on fixed contracts in accordance 'With The Local Government and Housing Act 1989 are exempt from standards set out in this section.

5.0 RELATIONSHIPS

5.1 Councillors

Employees are responsible to the Council through its Directors and Heads of Service. For some, their role is to give advice to councillors and senior managers and all are

there to carry out the authority's work. Mutual respect between employees and councillors is essential to good local government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors and should therefore be avoided.

5.2 The Local Community and Service Users

Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the authority. No part of the local community should be discriminated against.

5.3 Contractors

All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the appropriate manager. Orders and contracts must be awarded on merit, by fair competition and no special favours are to be shown to businesses run by, for example, friends, partners or relatives in the tendering process.

Employees 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 contractors, should declare that relationship to the appropriate manager and declare such a relationship in the 'Employees Register of Interests and Disclosures'

5.4 Appointment and Other Employment Matters

Employees involved in appointments should ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment which was 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, employees should not be involved in any appointments where they are related to an applicant, or have a close personal relationship outside work with him or her.

Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments to any other employee who is a relative, partner, etc., and should in these circumstances refer any decisions to the appropriate Head of Service or Director. If the Director has a personal involvement then the matter should be referred to the Chief Executive. In the events of the Chief Executives having a personal involvement the decision should be referred to the Director of Resources.

6.0 OUTSIDE COMMITMENTS

6.1 Some employees have conditions of service which require them to obtain written consent before they take any outside employment. All employees should be clear about their contractual obligations and should not take outside employment which conflicts with the authorities interests.

6.2 Employees should follow their Council's rules on the ownership of Intellectual property or copyright created during their employment.

7.0 PERSONAL INTERESTS

7.1 Elected members are required to disclose their financial and non-financial interests and for this information to be available to the public in the form of a register.

7.2 For all employees a similar procedure should operate and each Directorate should therefore hold a register in which should be entered the following:-

- a. Any financial or non-financial interests of employees (or their- partner, spouse, or close relations) which could cause conflict with the authority's interests and which in particular could conflict with their own duties and responsibilities. e.g. Ownership of Property or Shares in matters affected by any project in which they may be involved.
- b. Any membership of any organisation not open to the public and in respect of which secrecy about rules or membership or conduct exists.

The register shall be known as the 'Employees Register of Interests and Disclosures' and shall be open for inspection by any person authorised by the Chief Executive. Such a Register to be held centrally by the Head of Administrative Services.

8.0 EQUALITY ISSUES

- 8.1 All local government employees should ensure that policies relating to equality issues, as agreed by the Council, are complied with in addition to the requirements of the law. All members of the local community, customers and their employees have a right to be treated with fairness and equality.

9.0 SEPARATION OF ROLES DURING TENDERING

- 9.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor role's within the Council. Senior employees who have both a client and contractual responsibility must be aware of the need for accountability and openness.
- 9.2 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- 9.3 Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.
- 9.4 Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

10.0 CORRUPTION

- 10.1 Employees must be aware that it is a serious criminal offence for them corruptly to receive, or give, any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to, any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained or given.

11.0 USE OF FINANCIAL RESOURCES

- 11.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner.
- 11.2 They should strive to ensure value for money to the local community and to avoid legal challenge for the Council.

12.0 HOSPITALITY

- 12.1 Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the local authority in the community. Offers to attend purely

social or sporting functions should be accepted only when these are parts of the life of the community or where the authority should be seen to be represented.

- 12.2 Employees should not accept significant personal gifts from contractors and outside suppliers, but may retain items of token and low value such as pens, diaries, blotters.
- 12.3 When gifts of a more valuable nature, including alcohol, are offered to employees they should be courteously but firmly declined and the person/organisation making the offer should be informed of the Code of Conduct operating within the authority.

In the case of employees invited to attend lunches, dinners, sporting, social and cultural events by outside organisations, attendance must be authorised in advance by the appropriate Director and subsequently an entry shall be made in the Register of Hospitality to be kept by each Directorate and which is open for inspection by persons authorised by the Chief Executive. This procedure should also apply where the invitation is considered as personal but arises from a link with an organisation/contractor arising from the employees role within the Council.

- 12.4 Acceptance by employees 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 Council gives consent in advance and where the Council is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, sites, etc. are required, employees should ensure that authorities meet the costs of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

13.0 SPONSORSHIP - GIVING AND RECEIVING

- 13.1 Where an outside organisation wishes to sponsor or is seeking to sponsor, a local government activity, whether by invitation, tender, negotiation or voluntarily, basic conventions set out in this code of conduct concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
- 13.2 Where the authority wishes to sponsor an event or service neither the employee nor any spouse, partner nor relative must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interests. Similarly, where the authority through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

14.0 STATUS OF CODE

- 14.1 This code, adopted by the Borough Council, amends the disciplinary rules currently in force in relation to all employees of the Borough Council.

Action	Status
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**Standards Committee Work-plan 2011/12
As at March 2011**

Action	Target Date	Status
Review of the code of conduct for employees	Marc 2011	One of the recommendations from the Review Working Group agreed by Council on 22 March 2010. This committee will review the Code of Conduct before passing to Council for approval.
Review of the conduct regime under the Localism Bill	June 2011	Update on government plans and timescales All aspects of the role of the Standards Committee and the Local Code of Conduct will need to be reviewed once the government has finalised the details for the conduct regime set out in the new Localism Bill. Responsibilities for Parish Councils will need to be defined. Appropriate training and induction arranged for members.
	Dec 2011	Proposals will be considered by the Standards Committee and final decision will be made by Council.

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