



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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