

**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.