



# Code of Conduct

## For all Employees at Cheltenham Borough Council



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# Why you must read our Code of Conduct for employees.

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.

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

## **RECORDING THAT YOU HAVE READ AND UNDERSTOOD THE EMPLOYEE CODE OF CONDUCT**

- **Once you have read the Code please complete and sign the Register of Interest and Declaration Form on the next page.**
- Hand the signed form to your line manager to be forwarded to the Human Resources Team.
- Record that you have undertaken this learning completing the declaration on your development plan in the Learning Gateway.
- This will provide the statistical information that SLT use to monitor the acceptance of the Code of Conduct.
- For the step by step instructions to show you how to do this please follow the link below.

[http://mudata.cbc-local.cbc.gov.uk/library\\_drive/corporate\\_services/human\\_resources/learning\\_&\\_development/cbc\\_learning\\_gateway/how\\_to\\_complete\\_the\\_code\\_of\\_conduct\\_declaration.pdf](http://mudata.cbc-local.cbc.gov.uk/library_drive/corporate_services/human_resources/learning_&_development/cbc_learning_gateway/how_to_complete_the_code_of_conduct_declaration.pdf)

### **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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## Cheltenham Borough Council – Employees only

April 2016

### Declaration of financial and other interests (including Section 117 of the Local Government Act 1972) and in accordance with the Employee Code of Conduct

In accordance with the council's employee code of conduct and governance arrangements all employees are required to make a number of declarations each year.

This questionnaire seeks to identify any business and personal interests that you or your family or friends have which could conflict with the interests of the council.

Please read the instructions detailed below before completing the form.

**Save a copy of this template as a document to your personal U:drive, then update it, save it again then print and send it to your manager.**

**Do not complete this template and save it to the original S:drive folder as it will become available for all staff to view.**

Each section of the form provides guidance on what you should declare; if you are unsure you should seek additional guidance from your line manager or the council's monitoring officer. Sara can be contacted via email at the following address;  
<mailto:sara.freckleton@teWKesbury.gov.uk>

You should answer all questions openly and honestly.

Any personal data supplied in this form will be accessible only by the council's monitoring officer or those officers authorised to do so because of a specific business need.

#### Action by line managers

Upon receipt of the form, line managers are required to update the control spreadsheet by clicking on [this link](#). All completed forms are then returned by the line manager to Jayne Parker in Secretariat, Room 134, and Municipal Offices. Please note all forms need to be completed and returned before the 25 April 2016.

<b>Name</b>	
<b>Job Title</b>	
<b>Directorate/Service</b>	

**1. Relationship with councillors**

**Are you related to a councillor or have a close personal friend that has become a councillor:**

Yes  No

If you have answered yes to question 1, then please provide details;

**2. Financial Interests**

**Are you aware of any contract or proposed contract for the supply of goods, services or works to the council or anyone with whom the council works in partnership (e.g. GO Shared Services, UBICO, One Legal ), where you, or your spouse or partner with whom you live, or another immediate family member stands to benefit, directly or indirectly?**

**(Note: immediate family member includes partner (including spouse, civil partner) parents, grandparents, grandchildren, children, step children, aunts, uncles, nephews and nieces and cousins).**

Yes  No

If you have answered yes to question 1, then please provide details;

**3. Do you have any beneficial interest in a class of securities (e.g. capital or shares) of any corporate body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body, which has its place of business or land in the Authority's area?**

Yes  No

If you have answered yes to question 3, then please provide details;

**4. Personal Interests**

**Do you have any relationship of a business or private nature with any contractor or potential contractor of the authority that may cause a conflict of interest with the authorities interests?**

Yes  No

If you have answered yes to question 4, then please provide details;

**5. Are you doing paid work other than for the council?**

Yes  No

If you have answered yes to question 5, then please provide details;

**6. Have you notified your service manager or director of the additional paid work?**

Yes  No

**7. Are you a member of or working (unpaid) for any other organisation? (e.g. school governor, volunteer, etc.)**

Yes  No

If you have answered yes to question 7, then please provide details;

8. Are you a member of any secret societies? (Note: this includes membership of any lodge, chapter, society, trust or regular gathering or meeting, which:
- (a) is not open to members of the public who are not members of that lodge, chapter, society or trust
  - (b) includes in the grant of membership an obligation on the part of the member a requirement to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, trust, gathering or meeting; and
  - (c) includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

A lodge, chapter, society, trust, gathering or meeting as defined above, should not be regarded as a secret society if it forms part of the activity of a generally recognised religion.

Freemasonry falls within the definition of a secret society. Freemasons who are members of The Grand Charity must register their membership of The Grand Charity.

Yes  No

If you have answered yes to question 8, then please provide details;

9. **Gifts and hospitality**

I confirm that, within the last 12 months, I have not received any gifts or hospitality with a value of more than £10, or where I have received such a gift or hospitality I have declared it and received written authorisation to accept it.

Yes  No

If you answered *No* please discuss this with your director.

10. **DECLARATIONS**

Please select whichever of these two statements (a or b) applies to you. You must select one box.

- a) I have no financial or other interests which I have to declare
  - b) I have set out under the appropriate headings in this form, my interests.
- Where I do not have any interest under a heading, I have answered "NO".

a  b



## 11. CRIMINAL CONVICTIONS

You must select whichever of these two statements (a or b) applies to you. Please note that it is a requirement under the employee code of conduct to declare any relevant convictions to your manager. If you have any concerns regarding this question, please feel free to talk to HR or your trade union representative.

You must select one box. (note: Road Traffic Offences are not criminal convictions and as such are not required to be disclosed)

- a) I have NOT been convicted of any criminal offence within the last 12 months.  
b) I have been convicted of a criminal offence within the last 12 months.

If you have selected b), have you notified your manager of this conviction?

a  b

I recognise that it can be a breach of discipline to:

1. Fail to provide any information that ought to be given in this notice;
2. Provide information that is false or misleading;
3. Fail to update this declaration if my circumstances change (forms are available from the council's monitoring officer);
4. Not to disclose interests in contracts, and that no local authority employee may accept a fee or reward in the course of employment other than their salary and benefits paid by the council or gift or hospitality allowed under the employee code of conduct.
5. Fail to inform my line manager immediately of any conviction for a criminal offence as per the conditions within the employee code of practice.

I have read and understand all of the declarations above	
Signed:	Date:

**All forms should be completed and returned to the Secretariat Team in Room 134  
via your Line Manager**

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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.

(Please note: that the Employee Code of Conduct is not applicable to elected members/councillors. A separate Code of Conduct has been written and requires elected members/councillors to observe and comply with the details of the Code).

**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** – Employees should only serve the public interest and should never improperly confer and advantage or disadvantage on each other or any person.
- **Honesty and Integrity** – Employees 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** – Employees should make decisions on merit including making appointments, awarding contracts or recommending individuals for rewards or benefits.
- **Accountability** – Employees 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** – Employees 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** – Employees 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** – Employees should uphold the law and on all occasions act in accordance with the trust that the public has placed on them.
- **Stewardship** – Employees should do whatever they are able to do to ensure that their Authority uses its resources prudently and in accordance with the law.
- **Leadership** – Employees 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.

As an employee you must not be involved in any matter where you have a personal interest (or where your partner, spouse or any family member or close friend has a personal interest) which is so significant that it may influence your judgement or give the appearance that your 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 Cheltenham Borough Council Employees Register of Interests and Disclosures Form. Available to download from the Council's intranet pages or as hard copy from your line manager,

You must declare any personal financial or non-financial interests (or interest of your partner, spouse, relation or close friend) which could cause conflict with the authority's interests and which in particular could conflict with your own duties and responsibilities e.g. ownership of property or shares in matters affected by any project in which you may be involved must be disclosed using the Employees Register of Interests and Disclosures form.

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 (employee) Relations that councillors and employees 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**

You should always remember your responsibilities to the community you 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**

**Title:** Code of Conduct - Employees

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Issued by: **HR Operations Team**

**First Issue:** October 1994

**last updated:** April 2015

**Review:** As required

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.

If you 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, you must 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.

You must follow the resulting safe system of work to ensure your 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**

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

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

For posts above salary grade E, you will be required to obtain the express consent of your Director before engaging in any other business.

For posts salary grade E or below, you must notify your Director if you intend to undertake any other role or work.

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

If you are privy to confidential information, tenders or costs for either internal or external contractors you must 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, Council property, equipment and publications (including social media)**

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

Computers and software (e.g. email, internet) may only be used in line with the Acceptable Use policy. When you sign on to the Councils computer system you are asked to accept the terms of Acceptable Use Policy. Please make sure you are fully aware of the content of this policy.

Personal use of the council's property or facilities (stationery, photocopiers, etc) is not acceptable

You may only use the council's landline and mobile telephones to make or receive private calls in exceptional or emergency situations, for example when you do not have your own personal mobile phone with you, your own personal mobile does not have signal or you are not able to access a public phone box. Exceptional or emergency situations does not mean repeated calls to the same number/numbers however if there is a repeated need i.e. to phone the same contact number/numbers then you must make your own arrangements. Additional information on the acceptable use of phones is available on the council's intranet page. *(paragraph updated December 2012)*

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 manager.

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.

You must exercise fairness and impartiality when dealing with all customers, suppliers, contractors and sub-contractors.

If you have any involvement in making recruitment 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 friend or relative you must not be involved in the recruitment appointment process.

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

## **5.11 Dealing with the Council's money**

You must ensure that they use public funds entrusted to you are spent in a responsible and lawful manner. You 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.

If you are involved in the tendering process and dealing with contractors you 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.

You should ensure that no special favour is shown to current or recent former employees or their 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 below.

It is an offence under the Bribery Act 2010 and/or Prevention of Corruption Act 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 (as a guide worth up to the value of approx £25. e.g. inexpensive pens, diaries, flowers, chocolates) where it is clear that the gift or hospitality does not compromise yours or the Council's position regarding future, current or past contracts or decisions. You should be particularly sensitive to the timing of offers of gifts or hospitality in relation to decisions that the Council may have taken, or be about to take, which affect those providing the gift or hospitality.

A copy of the Council Employees Gifts, Hospitality and Sponsorship request for approval form is located on the HR pages of the intranet and at the end of this document.

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 above form. Your manager will make a judgment as to whether you can accept or decline the offer.**

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.

Your manager may approve gifts and hospitality that are clearly within the guidelines set out in this code. If there is any doubt, the offer should be referred to the Director. Where gifts or invitations are refused, you should ensure that there is a sufficient record on file to clearly demonstrate this.

Directors/Executive Directors receiving such offers should seek approval from the Chief Executive. The Chief Executive receiving such offers should seek approval from the leader of the Council.

All authorised and non authorised Gifts, Hospitality and Sponsorship request for approval forms must be sent to **Cheltenham Borough Council's Corporate Governance Officer** for entry into the Council's Register of Gifts and Hospitality. The Register is open for inspection by persons authorised by the Chief Executive.

### **5.13 Corruption**

You must be aware that it is a serious criminal offence for any employee to corruptly 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 against you, you must fully co-operate with any investigation and you will need to be able to demonstrate that any such rewards have not been corruptly obtained.

If you are in receipt of or your residence at a property impacts on someone else's receipt of Housing Benefit and/or other related benefits you 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, you must keep your personal data up to date and inform the Human Resources team of any changes to your current home address or in cases where more than one address is frequented the address that you normally class as your 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 and/or marital status must also be communicated to the Human Resources team.

#### **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 manager.

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

#### **5.15 The Press and the Media**

You must not deal directly with the press and/or the media unless required to do so in the course of your work or you have been expressly authorised and trained by an appropriate member of the Senior Leadership Team to do so.

Approaches from all press, radio or TV stations or other media 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 employee 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**

You should conduct yourself in a professional manner at all times 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 criminal 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 (e.g. lawyers, accountants). In cases where professional codes of conduct appear to conflict with the council's own code advice should be obtained from your manager.

## **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 HR pages of the Council's Intranet site. Proposed changes to the Code will be consulted on with Trade Unions and communicated to employees via line manager briefings and written updates on the Council's intranet pages.

## **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, 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**

Manager must provide additional advice and guidance on any points within the code of conduct and 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 policy & procedure
- Grievance policy & procedure
- Financial Regulations
- Standing Orders
- Information Security Policy

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 additional evening, day or weekend job?

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

For posts above salary grade E, you will be required to obtain the express consent of your Director before engaging in any other business.

For posts below salary grade E, you must notify your Director if you intend to undertake any other role or work.

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 Council Employees Gifts, Hospitality and Sponsorship request for approval form.

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

Discounts which have been formally agreed corporately and accepted by the council on behalf of all 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 Employee 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 I often get emails/mail shots offering me free admission or attendance to a seminar or training event. I just delete/bin them. The reason being my diary commitments or the**

**location of the event is too far to travel. Should I register the fact the fact I have been offered and I have declined/deleted the invitation?**

No. You only need to complete Council Employees Gifts, Hospitality and Sponsorship request for approval form if you wish to attend the event.

**Examples of the types of gifts, hospitality and sponsorship are set out below together with guidance on whether or not they should be accepted.**

### **Conferences/Learning & Development Events**

Reasonable hospitality through attendance at relevant conferences, courses, seminars, user groups and meetings is acceptable where it is clear that the hospitality is corporate rather than personal and/or where the line manager is satisfied that purchasing or other decisions are not compromised. The attendance at the event should be authorised by the Line Manager and recorded on a Council Employees Gifts, Hospitality and Sponsorship request for approval form and be entered into the Council's Register of Gifts and Hospitality.

Fees, gifts or hospitality received by employees contributing to conferences, seminars, etc, should be authorised by the Line Manager and recorded on a Council Employees Gifts, Hospitality and Sponsorship request for approval form and be entered into the Council's Register of Gifts and Hospitality.

### **Exhibitions**

Trade exhibitions tickets received free of charge should be used only if the employees attendance is considered of benefit to the Council. The attendance should be authorised by the Line Manager and recorded on a Council Employees Gifts, Hospitality and Sponsorship request for approval form and be entered into the Council's Register of Gifts and Hospitality.

### **Meals**

Where there is an on-going working relationship between the employee and an outside organisation or person and the relationship occasionally involves hospitality such as working lunches, the employee should ensure that expenses are shared equally and are not excessive. Modest bar meals may be acceptable but lunch at expensive venues may not. All such hospitality should be authorised by the Line Manager and recorded on a Council Employees Gifts, Hospitality and Sponsorship request for approval form and be entered into the Council's Register of Gifts and Hospitality.

### **Travel**

Free or discounted transport or holidays should not be accepted unless the offer is of a corporate nature open to all employees of the Council.

### **Visits to suppliers**

Where visits to inspect equipment or products are required, employees should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions. Hospitality, over and above light refreshments, should not be accepted from suppliers or prospective suppliers.

### **Sporting and social events**



Sporting and social functions should only be accepted if they are part of the life of the Cheltenham community and/or where the Council should be seen to be represented. They should be authorised by the employee's line manager and recorded on a Council Employees Gifts, Hospitality and Sponsorship request for approval form and be entered into the Council's Register of Gifts and Hospitality. Examples include school sports days or competitions involving local teams, representative gatherings of community interest groups, meetings of public organisations and events organised to celebrate achievement affecting Cheltenham.

Invitations to major sporting and social events such as international or national sporting fixtures, golf days, go-karting events, theatre visits, social gatherings or meals as the guest of a supplier, prospective supplier, or other commercial body must be declined.

**Q11 I am a member of a school governing body – do I need to declare this?**

Employees should always err on the side of caution and declare interests that they think could be covered by the following guidance:

- Membership of outside bodies in a voluntary or paid capacity and where personal involvement could compromise an individual's professional duty to the interests of the Council, for example, involvement in an official capacity with an outside organisation which has dealings with the Council e.g. grant requests.
- Involvement in companies including directorships and company secretary, or any other position where a person is actively involved in the running of a company's affairs, where the company has, or may have, a contractual relationship with the Council.

**Q12 My brother in law has been elected as a councillor. Do I need to declare this?**

Yes. Any family relationships with Councillors and/or other employees must be declared.

**Q13 The code of conduct does not 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.

**CHELTENHAM BOROUGH COUNCIL  
GIFTS, HOSPITALITY & SPONSORSHIP  
EMPLOYEE'S REQUEST FOR APPROVAL FORM**

**GIFTS (see over the page for HOSPITALITY & SPONSORSHIP)**

If you have been presented with any form of gift by an outside organisation the acceptance of the gift **must be authorised** by your Line Manager.

A record of **all** gifts offered (to include authorised and not authorised gifts) **must be** made in the Register of Gifts, Hospitality & Sponsorship Register which is kept by the Corporate Governance Officer and is open for inspection by persons authorised by the Chief Executive.

Generally gifts which are of low value (under £25) can be accepted without authorisation from your line manager but regardless of whether the gift is accepted or not it must be registered using this form

Employees may only accept offers of a more significant gift (as a guide worth more than £25) if there is a genuine need to do so.

***To be completed by the employee and then passed to their line manager.***

<b>Division:</b>	<b>Post Title</b>	
<b>Name:</b>	<b>Signed</b>	<b>Date</b>

**1. Full details of gift offered:**

***To be completed by the manager***

<b>Division:</b>	<b>Managers Post Title:</b>	
<b>Name:</b>	<b>Signed</b>	<b>Date</b>

*I authorise the acceptance/ I do not authorise the gift (delete as appropriate)*

*I do not authorise acceptance of the gift because:*

***Please advise your employee of the outcome and send the completed form to: Cheltenham Borough Council's Corporate Governance Officer.***

**CHELTENHAM BOROUGH COUNCIL  
GIFTS, HOSPITALITY & SPONSORSHIP  
EMPLOYEE'S REQUEST FOR APPROVAL FORM**

**HOSPITALITY & SPONSORSHIP (see over the page for GIFTS)**

If you have been invited to attend a lunch, dinner, sporting, free seminar/conference, social or cultural event by an outside organisation (and you wish to accept the offer), **your attendance must be authorised in advance** by your Line Manager

A record of **all** authorised and not authorised Hospitality & Sponsorship offers **must be** in the Register of Gifts, Hospitality & Sponsorship Register which is kept by the Corporate Governance Officer and is open for inspection by persons authorised by the Chief Executive.

Employees may only accept an offer of 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.

This also applies where the invitation is considered personal but arises from a link with an organisation / contractor that has arisen from your role within the Council.

***To be completed by the employee and then passed to their line manager.***

<b>Division:</b>	<b>Post Title</b>	
<b>Name:</b>	<b>Signed</b>	<b>Date</b>
<b>1. Full details of hospitality offered:</b>		
<b>2. Reason attendance is required:</b>		

***To be completed by the manager***

<b>Division:</b>	<b>Managers Post Title:</b>	
<b>Name:</b>	<b>Signed</b>	<b>Date</b>
<i>I authorise the attendance/ I do not authorise attendance</i> (delete as appropriate) <input type="checkbox"/>		

<i>I do not authorise attendance because:</i>
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***Please advise your employee of the outcome and send the completed form to: Cheltenham Borough Council's Corporate Governance Officer.***