



CHELTENHAM
BOROUGH COUNCIL

Code of Conduct

For all Employees at

Cheltenham Borough Council

Title: Code of Conduct - Employees

Issued by: **HR Operations Team**

First Issue: October 1994

Review: As required

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Why is the Code of Conduct for employees important?

Cheltenham Borough Council expects every employee to behave in a highly professional manner. That's why it's important to read and understand the Code of Conduct, so you understand how you are expected to behave at work.

All employees are also expected to adhere to our five council values these can be found [here](#).

To assist in understanding the Code a question and answer section is included at the end of the document. However, 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 of Conduct please complete the following form: [Register of Interest and Declaration](#)**
- **This will then be recorded by the Human Resources team so we can make sure everyone has signed to say they have read and understood the Code of Conduct.**

Data Protection

Please refer to the privacy notice at the end of this document.

Thank you.

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Cheltenham Borough Council – Employees only

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

All employees are required to complete a Declaration of Interest form each year to ensure the council is aware of any financial or other interests you or your family or friends have, which could conflict the interests of the council.

You must answer all questions openly and honestly and make a declaration at the end. If you are unsure about any of the questions, please seek additional guidance from your line manager of the council's Monitoring officer.

You can access the form by clicking on the following link:

<https://forms.office.com/e/EzQALUJfQR>.

Code of Conduct for all Cheltenham Borough Council Employees

1 What is the Code of Conduct?

At Cheltenham Borough Council we conduct our business ethically, honestly and in full compliance with all laws and regulations. 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 read, understand and operate within the terms of this 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.

Together with the Nolan principles from the Committee on Standards in Public Life it sets out the framework within which all employees must operate.

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.

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 is my responsibility?

These principles that underline this code, are based on The Seven Principles of Public Life (also known as the Nolan Principles) and they apply to anyone who works as a public officer:

- **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 must ensure that you:

- read this policy;
- 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.

4 What are the main points?

4.1 Introduction

The public are entitled to expect the highest standards of behaviour from local government employees. As a local authority we have high ethical standards, we declare any conflicts and do not place ourselves in a situation where this may be questioned. Our decisions are made on merit and we are open and accountable for our actions.

We will treat customers, suppliers, and others with respect and courtesy and act solely in terms of benefit to the council.

As an employee you represent the council and are trusted to act in a way which promotes the council's interests and protects its reputation. You must not act in a manner which seeks to gain financial or other benefits for yourself or your family and friends.

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

4.2 Conflicts of Interest.

A conflict of interest is any activity that is inconsistent with, or opposed to, the council's best interests or that gives the appearance of impropriety or divided loyalty. You must not place yourself in a situation in which you could derive or be perceived to derive personal benefit from actions or decisions made in your official capacity as an employee. A personal benefit could include an advantage for close friends or family. Use good judgements and, if you are unsure about a potential conflict, talk to your manager or a member of the Human Resources team.

You must not use your position to obtain favoured treatment for yourself, family members, or others with whom you have a significant relationship. This applies to purchases, investment opportunities, recruiting, promoting, selecting contractors or suppliers, and any other business matter. If any member of staff finds themselves in a position where they are dealing with a business matter which involves, or is likely to involve, a family member or other person with whom they have a significant relationship, they must take advice from your manager, Human Resources or the Monitoring Officer as a matter of urgency.

If you believe you have a potential conflict involving a family member, or other individual, you must declare it as part of the annual declaration process.

You must not view, approve or amend or otherwise deal with any application, account or other data relating to someone you have a close personal relationship with, without prior permission from your manager. Such personal relationships include immediate family, close friends, colleagues and anyone you are in a contractual relationship with i.e. landlord, tenant, employee or employer.

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. Disclosures should be made to Human Resources or the Monitoring Officer.

Managing conflicts of interest

Line managers are required to review any conflicts of interest that are declared and to determine whether any actions are required to mitigate the conflict. There may be occasions where the conflict is profound and acute. In such cases it may be necessary to consider a range of possible actions which may include:

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- deciding that no action is needed;
- restricting the employee's involvement in discussions and excluding them from decision making;
- removing the employee from the whole decision making process;
- removing the employee's responsibility for an area of work;
- removing the employee from their role altogether if the conflict is so significant that they are unable to operate effectively in the role.

Any manager who is taking these actions must keep a written record of their decisions and must arrange for a copy to be placed on the employee's HR file.

4.3 Professional Memberships

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.

4.4 Political Activities

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 and you must not use the council's assets (including work time, premises, equipment or funds) to personally support candidates and/or campaigns.

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.

Some posts are Politically Restricted. If you are employed in one of these posts, you must not undertake political activities either in or outside the workplace. Politically restricted employees will automatically be disqualified from standing for, or holding, political office and these restrictions are incorporated as terms in an employee's contract of employment under the legislation.

Employees who are politically restricted are:

- barred from standing for office as any of the following:
 - local councillors (including town/parish councillors)
 - Members of Parliament
 - Members of the Welsh Assembly
 - Members of the Scottish Parliament
- restricted from canvassing on behalf of a political party or a person who is or seeks to be a candidate;
- not permitted to speak to the public at large or publish any written or artistic work that could give the impression that they are advocating support for a political party. Particular care should be taken with social media posts.

4.5 Working with Members

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.

You must not seek to influence or lobby a councillor with regards to personal issues.

4.6 Trade Union Representatives

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.

4.7 Closed Organisations

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.

4.8 Working with the Local Community and Service Users

The council complies with all laws and regulations and operates in ways that benefit the communities in which it conduct business. We encourage you to uphold this commitment to the community in all your activities. If you hold an elected or appointed public office while employed at the council you should disclose it as part of the Employee Declaration process. It is important that you do not get involved in any decisions that might create or appear to create a conflict of interest.

4.9 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 and recorded on your annual declaration form.

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. You must comply with the council's Contract Procedure Rules at all times.

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.

4.10 Workplace Relationships and Management of Relatives

Personal and family relationships in the workplace may present an actual or perceived conflict of interest, particularly when one individual in the relationship is in a position to make or influence employment decisions regarding the other.

If you find yourself in any of the following situations, you must notify Human Resources immediately so that they can assist you in resolving any potential conflict. If you don't, you may face disciplinary action:

- in a personal relationship with a colleague, Councillor or contractor;
- in a reporting relationship with a relative or someone with whom you are in a personal relationship; or
- part of a recruitment process/interview panel that is considering a relation for employment

Favouritism, or conflicts of interest, may arise where managers are involved in processes which involve people with whom they are in a personal relationship or whom they are related to, for example hiring, promotion, renewal of contracts, completion of performance reviews and disciplinary matters.

To avoid such incidents or suspicions of favouritism and conflict of interest you must comply with the following principles:

- Employees who are in personal relationships or related must not be involved in a supervisory/reporting relationship with one another
- Employees cannot be transferred, promoted or hired inside a reporting relationship with someone with whom they are in a personal relationship or to whom they are related.
- Employees cannot be part of the recruitment process/interview panel when a person with whom they are in a personal relationship or to whom they are related is being considered for a position.

If you find yourself in a reporting relationship with someone with whom you are in a personal relationship or whom you are related to or part of a recruitment process/interview panel that is considering someone with whom you are in a personal relationship or whom you are related to for employment you must immediately report it to HR. If you don't, you may face disciplinary action.

If two employees who are in a reporting relationship enter into a personal relationship or become relatives in the course of their employment, one of the two must be transferred. The Council will give the employees time to discuss and choose which of them will be transferred, before management makes a final decision. Decisions will be made from a business perspective, with careful attention to equality and personal circumstances.

We expect you to act professionally when working with a relative or with someone with whom you are in a personal relationship and not allow your relationship to disrupt the workplace or interfere with your work or judgement. You should seek advice from your manager or HR if there are any problems.

4.11 Working Safely

The council operates in a manner that protects the health and safety of our people. 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. For more information, please visit the [Health and Safety](#) page on the Intranet.

4.12 Outside Employment and Voluntary Work

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 G, you are required to obtain the written consent of your Director before taking any other paid or unpaid employment.

For posts salary grade G or below, you must still notify your Director in writing if you intend to undertake any other role or work, whilst express permission to do so is not required, you must still notify us as part of the annual declaration. As with any potential conflict of interest, Cheltenham Borough council reserve the right to reject the conflict.

Please see the notification of additional employment form [here](#).

Once permission has been obtained, or appropriate notification given, you can commence your outside employment or operate an outside business, provided that you do not:

- Participate in an outside employment activity that could have an adverse effect on your ability to perform your duties at the council or be in conflict with our work.
- Use any of our assets for your other job/business
- Use your position to solicit work for your outside employer/business or to obtain favoured treatment.
- Use our confidential information to benefit your other employer, outside business, or invention.
- set up a business, or accept a job with a business, which is in direct competition with the council. Act as a messenger between the other organisation and the council. Formal channels of communication must be maintained.

- Carry out your secondary employment during your contracted council working hours, or 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. Please see the opt out form here. <S:\Working Time Regulations Opt form.docx>

4.13 Confidentiality

As part of your job, you may have access to personal and/or confidential information. This information must only be shared with those who have a need to know for business reasons and in accordance with the relevant Data Protection legislation. It must not be shared outside the council unless there is a legal or business reason to share the information and you have approval from your manager.

Customers, suppliers, and others disclose confidential information to the council for business purposes. It is the responsibility of every employee to protect and maintain the confidentiality of this information. Failure to protect customer and third-party information may damage relations with customers, suppliers, or others and may result in legal liability.

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.

All employees are required to comply with ICT User Policies and the Data Protection Policy at all times.

4.14 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 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.

You may use your CBC owned work phone for personal use. You should aim to keep such usage within the data allowance. Where the data allowance is exceeded due to personal use, then CBC reserves the right to deduct those costs from pay and/or request you to make a contribution.

Personal calls and personal text messages / images sent from the phone are to be treated in the same way as those sent in a business capacity i.e. you should not access, store or distribute any offensive or inappropriate material with the smart phone.

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.

4.15 Equality

The council is firmly committed to the principles of equality, diversity and inclusion 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.

This policy is currently awaiting sign off.

4.16 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, financial regulations and contract procedure rules 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.

4.17 Side Deals or Side Letters

All the terms and conditions of agreements entered into by the council must be formally documented. Contract terms and conditions define the key attributes of the council's rights, obligations, and liabilities and can also dictate the accounting treatment given to a transaction. Making business commitments outside of the formal contracting process, through side deals, side letters, or otherwise, is unacceptable. You must not make any oral or written commitments that create new agreements or modify existing agreements without obtaining approval through the formal contracting process.

4.18 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 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 the Monitoring 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.

4.19 Bribery, Corruption and Fraud

The council will not tolerate any instances of bribery, corruption, fraud or theft. This includes abuse of position and will result in disciplinary action and may also result in criminal proceedings against you.

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 Policy.

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.

Contract and procurement fraud, both internal and external, is not acceptable under any circumstances. You must be act with integrity and honesty in all your business activities and you must be particularly vigilant if your role involves any of the following:

- Raising requisitions for goods and services,
- Authorising the procurement of goods and services,
- Writing of specifications or reviewing tenders for the supply of goods and services,
- Contract management or monitoring or,
- Amending or creating suppliers or customers in Business World.

All staff must ensure that they are familiar with the councils [Counter Fraud and Anti-Corruption Policy](#)

4.20 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.

4.21 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.

4.22 Use of Personal Social Media Accounts

You should be aware that social networking websites are public forums and you should not assume that your entries will remain private. When communicating via social media you must not:

- conduct yourself in a way that brings the council, any employee or councillor into disrepute; or
- disclose information that is confidential to the council.

When using any social media platform you must follow the [social media guidelines](#).

4.23 Criminal Charges, Convictions and Misconduct

You must 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 or even prosecution.

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, Disclosure and Barring Service (DBS) 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.

5. Annual Employee Declarations

To ensure that the Council is aware of any potential conflicts or interests it conducts an annual employee declaration process which requires employees to update their information and disclose any related party transactions. You are required to complete this form promptly when requested. You also have an ongoing duty to keep this information up to date and any changes throughout the year must be notified to the Monitoring Officer.

6. Are there any exemptions to this Code?

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:

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- Cheltenham Borough Council's Constitution
- Communication/Media relations protocol
- [Whistle blowing policy](#)
- [ICT acceptable 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?

For posts above salary grade G, you are required to obtain the written consent of your Director before taking any other paid or unpaid employment.

For posts salary grade G or below, you must still notify your Director in writing if you intend to undertake any other role or work, whilst express permission to do so is not required, you must still notify us as part of the annual declaration. As with any potential conflict of interest, Cheltenham Borough council reserve the right to reject the conflict.

Please see the notification of additional employment form [here](#).

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
- Another job

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 are 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.

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

Yes - 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 Director, Human Resources or the Monitoring Officer.

Privacy Notice

This privacy notice tells you what to expect us to do with the personal information supplied as part of our declaration process. For any queries please email: hr@cheltenham.gov.uk

What information we collect and use, and why

We collect or use the following personal information as part of staff recruitment, administration and management:

- Contact details (eg name, address, telephone number or personal email address)
- Political, conflict of interest or gift declarations

Lawful bases and data protection rights

Under UK data protection law, we must have a “lawful basis” for collecting and using your personal information. You can find out more about lawful bases and your data protection rights and the exemptions on the ICO’s website.

Our lawful bases for collecting or using personal information as part of **staff recruitment, administration and management** are:

- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.

Where we get personal information from

We collect your information from the following places:

- Directly from you

How long we keep information

We keep your data for up to 7 years from the date of termination of your employment.

Who we share information with

In some circumstances, we may share information with the following organisations:

- External auditors

How to complain

If you have any concerns about our use of your personal data, you can make a complaint to us using the contact details at the top of this privacy notice. If you remain unhappy with how we’ve used your data after raising a complaint with us, you can also complain to the ICO: www.ico.org.uk/make-a-complaint