



WONERSH PARISH COUNCIL (WPC) CODE OF CONDUCT FOR COUNCIL EMPLOYEES

A GUIDE FOR ALL WPC STAFF

WPC Principles

The Council is committed to communicate and consult with openness and integrity as well as the belief in:-

- ☞ being democratically accountable;
- ☞ maintaining the highest ethical and professional standards;
- ☞ treating people with dignity, fairness and respect.

What the Council is saying in these statements is that the community that it serves can expect the highest standards of conduct from all employees who work for the Council.

To help you to help the Council implement these principles this “Code of Conduct” has been produced.

The Code outlines the existing appropriate laws, regulations, standing orders and conditions of service and provides further guidance to assist you in the conduct of your day-to-day work. It is particularly significant in the light of the challenges that we all face in the approaching new 'Best Value' environment promoted by the Government.

Guided by the 'Best Value' watchwords "*challenge*", "*consult*", "*compare*" and "*compete*", the Government wants local authorities to become yet more effective, efficient and economic.

Working together and using this Code, we can all help not only to ensure that the Council delivers 'Best Value', but also that it continues to improve its reputation in the community whilst, at the same time, protecting and enhancing the reputation of staff.

Status of the Code

The Council has approved this Code of Conduct which will apply to all employees. The primary aim of the Code is to provide advice and guidance to help staff in these times of significant management change and to lay down clear guidelines to help ensure the maintenance and improvement of standards and to protect staff from misunderstanding or criticism.

Its application will be reviewed and it will be updated as necessary in the light of the experience of its application in consultation with Staff.

For your information, the Code is based on the Code of Conduct which was drawn up by the (former) Local Government Management Board (LGMB) and approved by the local authority associations in England and Wales after consultation with appropriate bodies including the Trade Unions.

Who is covered by the Code?

The Code applies to all WPC employees.

Inevitably some of the issues covered by the Code will affect senior employees more than it will others, but the Code will cover all employees under a contract of employment with WPC. The Council's most senior, statutory employee, is its *Proper officer*, more usually known as the *Clerk to the Council*. The Council also makes one other statutory appointment: *Responsible Financial Officer (RFO)* but this role can be combined with that of the *Proper officer*.

The *Proper officer* is employed by the Council and answers to the Council as a whole in relation to his/her abiding by the Code. All other Council staff, are answerable to the *Proper officer* in relation to their abiding by the Code. Activities carried out by WPC employees when they are acting,

separately from their employment, as member of companies or voluntary organisations should, in so far as they affect WPC, continue to be subject to the standards within this Code. The guidelines are set out in the following pages.

1. Standards

1.1 You are expected to give the highest possible standard of service to the public and, where it is part of your duties, to provide appropriate advice to councillors and fellow employees with impartiality.

1.2 You are encouraged, without fear of recrimination and through agreed procedures to bring to the attention of the appropriate level of management any impropriety or breach of procedure that comes to your attention.

1.3 You are required to inform the Council's *Proper Officer* of any criminal convictions received during your employment.

2. Disclosure of Information

2.1 It is generally accepted that open government is best. The law requires that certain types of information must be available to Members of the Council, auditors, government departments, service users and the public. The Council itself may decide to be open about other types of information. You must not divulge any information which you know to be confidential. If you are in any doubt as to whether such information may be released to the public, you must consult the *Proper Officer* before doing so.

2.2 In Wonersh the practice is to make as much information available as possible. All confidential information submitted to Council and all of its formal Committees is clearly marked **CONFIDENTIAL**. The information contained in such papers must remain confidential but may become "open" in time. Confidential paper records may get photocopied.

2.3 In addition, you need to be aware that the Data Protection Act and associated registrations place obligations on employees with regard to confidentiality.

2.4 You must not use information obtained in the course of your employment for personal gain or benefit, nor should you pass it on to others who might use it in such a way. Any particular information received by you from a councillor which is personal to that councillor and does not belong to the Authority must not be divulged by you without the prior approval of that councillor, except where such disclosure is required or sanctioned by law.

2.5 You must not supply to any person outside of Wonersh any information that you learn as a consequence of your work about the private affairs of another member of staff unless you have the permission of the person concerned. You should exercise caution if speaking to Wonersh colleagues about the private affairs of other colleagues and be aware of the potential impact of the things that you say.

3. Political Neutrality

3.1 You serve the Council as a whole. It follows that you must serve all Members and not just those of any controlling group and must ensure that the individual rights of all councillors are respected.

3.2 You may, as part of your normal duties, be required, in effect, to advise political groups within the Council. You must seek the approval of the *Proper Officer* before giving such advice. Where approval is given, you must present your advice in ways which do not compromise your political neutrality.

3.3 No posts within Wonersh are subject to political restrictions as defined in the Local Government and Housing Act 1989. However, even if you are not politically restricted, you must follow every lawful expressed policy of the Council and must not allow your own personal or political opinion to interfere with your work.

4. Relationships

4.1 Councillors. You are responsible to the Council through the *Proper Officer*. Your role may include giving advice to Members and senior managers and whether or not that is the case, you are there to carry out the Council's work. Mutual respect between employees and councillors is essential to good local government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors and should, therefore, be avoided.

4.1.2 You are asked to indicate at the time of your appointment whether you are related to a Womersley Councillor. You must notify the *Proper Officer* if these circumstances change during the course of your employment with the Council.

4.2 Contractors. All relationships of a business or private nature with external contractors, or potential contractors, must be made known to the *Proper Officer* who will advise whether or not you need the relationship to be noted in the Register of Staff Interests (see Annex A). Orders and contracts must be awarded on merit, by fair competition against other tenders in accordance with the Council's Standing Orders and Financial regulations and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

4.2.1 If you are involved in engaging or supervising 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 those contractors, you must declare that relationship to the *Proper Officer* for it to be noted in the Register of Staff Interests.

4.3 The Local Community and Service Users. You must always remember your responsibility to the community you serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within the community.

5. Appointment and other Employment Matters

5.1 If you are involved in the appointment of staff, you must ensure that the procedures set out in the Council's recruitment policy are followed and that the appointments are made on the basis of merit. It would be unlawful for you to make an appointment decision which was based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, you must not be involved in an appointment where you are related to an applicant, or have a close personal relationship outside work with him or her.

5.2 Similarly, you should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner etc.

6. Outside Commitments

6.1 You must not carry out other employment activities whilst you are on duty with the Council and you must not use Womersley resources or facilities for that purpose.

6.2 You must follow the Council's rules on the ownership of intellectual property or copyright created during your employment. These are set out in Section 6.3 below.

6.3 The Council has adopted the following policy:-

6.3.1 all creative designs, writings, drawings etc produced by you in the course of your duties belong to WPC;

6.3.2 all inventions made by you are the property of the Council if made during the course of your normal duties, which include those described in your job description [currently and in the past and in the future] and any duties arising from an instruction of a relevant manager or other authorised officer of the Council.

7. Personal Interests

7.1 You must declare to the *Proper Officer* any financial interests that you consider could bring about conflict with the Council's interests and note the details in the Register of Staff Interests.

7.2 You must declare to your *Proper Officer* any non-financial interests which you consider could be perceived by others as being in conflict with the Council's interests and the details must be noted in the Register of Staff Interest.

7.3 You must declare to your *Proper Officer*, Membership of any organisation not open to the public without formal Membership and commitment of allegiance and which has secrecy about rules or Membership or conduct. This declaration will be noted in the Register of Interests and on your personal file.

7.3.1 The definition of what constitutes a "secret society" under 7.3 above is 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 etc;

(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 etc; 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 etc.

8. Equality Issues

8.1 You are under an obligation to ensure that you comply with all the requirements of legislation relating to equality issues. All Members of the local community, customers and other employees have a right to be treated with fairness and equity.

9. Tendering and the Separation of Roles During Tendering

9.1 If you are involved in activities that are subject, in some way, to the tendering process, you must make yourself aware of and follow the Council's Standing Orders and Financial Regulations.

9.2 If you gain access to confidential information on tenders or costs for either internal or external contractors you must not disclose that information to any unauthorised party or organisation.

9.3 You must ensure that no bias is shown to anyone in the awarding of a contract. Your attention is drawn in this respect, in particular, to the need for circumspection when your relatives, associates and current or recent former employees are involved in businesses seeking contracts with WPC.

10. Use of Financial Resources

10.1 You must ensure that you use public funds entrusted to you 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.

11. Protection of the Council's Property

11.1 You must take all reasonable precautions to ensure that the Council's equipment and other property that is placed in your charge is kept safe and is protected from damage.

11.2 In the general interests of security in the Council's offices, you should take care not to do anything which reduces the level of security. In particular, you must not leave open security doors through which you pass. Also, open windows can present a problem. You must ensure that windows in your office are closed when no staff are present if to leave them open would put security at risk. If you notice a potential lapse in security, you should bring it to the attention of the *Proper officer*.

12. Information Technology (IT) - see also the Council's policy on IT and electronic filing.

12.1 You must make yourself familiar with the guidance in the Council's policy and follow the laid down procedures.

12.2 You must sign out of all applications if your terminal/personal computer (PC) is to be left unattended, in order to safeguard the integrity of the system.

12.3 You must not use a password that you are not authorised to use to enter an IT system which you know contains information to which you are not entitled to have access.

12.4 To help avoid unauthorised use, you should change your passwords on a regular basis and you must not disclose them to any other person.

12.5 In relation to computer software, you must only use appropriate software on WPC equipment that is properly licensed to you or to the Council.

13. Use of Non-financial Council Resources for Personal Purposes

13.1 You should not use or abuse the Council's equipment and other resources for your own personal purposes, either at home or at the office, regardless of whether or not such use is for your personal gain.

14. Corruption

14.1 You must be aware that it is a serious criminal offence for you to receive, corruptly, 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. **Under the Prevention of Corruption Act 1916, if an allegation is made against you in this connection, it is for you to demonstrate that any such rewards have not been obtained corruptly.**

15. Hospitality and Gifts

15.1 You should only accept offers of hospitality if there is a genuine need to impart information or represent the Council in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the Council should be seen to be represented. They should be authorised by the *Proper officer*, in advance whenever possible.

15.2 When hospitality has to be declined, those making the offer should be courteously but firmly informed of the procedures and standards operating within WPC.

15.3 When receiving authorised hospitality you should be particularly sensitive as to its timing in relation to decisions which WPC may be taking affecting those providing the hospitality.

15.4 Acceptance by you of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the *Proper officer* gives consent in advance and is satisfied that any purchasing decisions are not compromised.

Where visits to inspect equipment, etc are required, you should claim any personal expenses involved from WPC to avoid jeopardising the integrity of subsequent purchasing decisions.

15.5 You should not accept significant personal gifts from contractors and outside suppliers, although you may keep insignificant items of token value such as pens, diaries, etc when you are satisfied that there is no ulterior motive associated with the offer of the gift and where acceptance gives no danger of misinterpretation by a member of the public.

15.6 Gifts which fall outside the definition in 15.5 above should be politely refused and WPC's policy on the acceptance of gifts should be explained. If you have any doubt, please seek advice from the Proper officer.

15.7 If a gift is delivered to the office without prior warning, unless it falls within the scope of acceptable gifts (see 15.5), in consultation with the Proper officer, the gift should be returned.

15.8 All hospitality offered, whether or not it is accepted, and all gifts offered or received, whether or not they are accepted or returned, must be entered in the Register of Hospitality and Gifts and a note made of the action taken.

16. Sponsorship - Giving and Receiving

16.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a WPC activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of personal gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

16.2 Where WPC wishes to sponsor an event or service neither you nor any partner, spouse or relative of yours must benefit personally from such sponsorship without there being full disclosure to the *Proper officer* of any such interest. Similarly, where WPC through sponsorship, grant aid, financial or other means, gives support in the community, you should ensure that impartial advice is given and that there is no conflict of interest involved.

17. Concluding Remarks

If you have any comments or suggestions on the contents of this booklet or on the application of the advice that it contains, you should address them to the *Proper officer*.

18. Adoption of the Code

This Code of Conduct for WPC employees was approved and adopted by the Council at its meeting on 12 September 2013.

12 September 2013



Wonersh Parish Council Code of Conduct for employees

Notification by employee of disclosable interests under the Code

I (insert full name and employee title)

REGISTER that I or my spouse or civil partner (or a person with whom I am living as husband and wife or as if we were civil partners) have the following

Paid employment in addition to that of the Council

Any employment, office, trade, profession or vocation carried on for profit or gain

Sponsorship

Any payment or provision of any other financial benefit (other than from the Council) made or provided within the last 12 months in respect of any expenses incurred by me in carrying out duties as an employee of the Council.

Contracts

Any contract which is made between me or my spouse/partner (or a body in which that person has a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.

Land

Any beneficial interest in land (e.g. my home) which is within the Council's area

Licences

Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer

Corporate Tenancies

Any tenancy where (to my knowledge)

(a) the landlord is the Council; and

(b) the tenant is a body in which I or my spouse/partner has a beneficial interest

Securities

Any beneficial interest in securities of a body where—

(a) that body (to my knowledge) has a place of business or land in the Council's area and

(b) either

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which I or my spouse/partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

I also register that I have the following interests that arise from my membership of or my occupation of a position of general control or management in the following bodies

Bodies to which I have been appointed or nominated by the Council

Other bodies exercising functions of a public nature

Other bodies directed to charitable purposes

Other bodies one of whose principal purposes include the influence of public opinion or policy

Date:

Signed: