



## **STANDARD OF CONDUCT**

### **POLICY STATEMENT**

Brackla Community Council is accountable to the public and is committed to the delivery of quality services. It is determined to maintain the good name of the authority by ensuring that the highest standards of conduct apply to its elected members, employees, those with whom it works in partnership and those contracted to undertake work or provide services to it or on its behalf.

The Council will not accept conduct which damages public trust in it. In particular, it will not tolerate any conflict between private or personal interests and the proper discharge of its functions as a local authority.

Specific policies, codes of conduct and guidelines will be developed to reflect these principles.

## 1. Standards

Local government employees are expected to give the highest possible standard of service to the public, and where it is part of their duties, to provide appropriate advice to councillors and fellow employees with impartiality. Employees will be expected, and without fear of recrimination, to bring to the attention of the appropriate level of management any irregularity or deficiency in the provision of service. Employees must report to the appropriate manager any impropriety or breach of procedure.

## 2. Disclosure of Information

2.1 Brackla Community Council is committed to open government. The law requires that certain types of information must be available to members, auditors, government departments, service users and the public. Subject to any obligations of confidentiality it is required to observe, the Council itself may decide to be open about other types of information. Employees must be aware of which information the Council is and is not open about, and act accordingly.

2.2 Employees should ensure that the individual or personal circumstances of clients and users of Council services are treated confidentially.

2.3 Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way. Any particular information received by an employee from a councillor, which is personal to that councillor and does not belong to the Council, should not be divulged by the employee without the prior approval of that councillor, except where such disclosure is required or sanctioned by the law.

## 3. Political Neutrality

3.1 Employees serve the Council as a whole. It follows they must serve all councillors and not just those of the controlling group, and must ensure that the individual rights of all councillors are respected.

3.2 Subject to the Council's conventions, employees may also be required to advise political groups. They must do so in ways which do not compromise their political neutrality.

3.3 Employees, whether or not politically restricted, must follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work.

## 4. Relationships

4.1.1. Employees are responsible to the Council through its senior managers. For some, their role is to give advice to councillors and senior managers and all 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.

### 4.2 The Local Community and Service Users

4.2.1. Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the Council's policies.

### 4.3 Contractors

4.3.1 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 run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

4.3.2 Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to the appropriate manager.

## 5. Appointments and Other Employment Matters.

5.1 Employees involved in appointments should ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment which is based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her.

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

## 6. Outside Commitments

6.1 Some employees have conditions of service which require them to obtain written consent to take any outside employment. All employees should be clear about their contractual obligations and should not take outside employment or become involved in any other activity, whether paid or not, which conflicts with the Council's interests.

6.2 Employees should seek advice on the ownership of intellectual property or copyright created during their employment.

## 7. Personal Interests

7.1 Employees must declare to their immediate manager any financial or nonfinancial interests which could conflict with the Council's interests.

7.2 Examples of non-financial interests include acting as a school governor in schools maintained by the Council, involvement with an organisation receiving grant aid from the Council, membership of an NHS Trust Board or involvement with an organisation or pressure group which may seek to influence the Council's policies. Membership of a political party or trade union need not be declared.

7.3 Employees should declare to an appropriate manager 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.

## 8. Equality Issues

8.1 All local government employees should ensure that policies relating to equality issues as agreed by the Council are complied with in addition to the requirements of the law. All members of the local community, customers and other employees have a right to be treated with fairness and equity.

## 9. Separation of roles During Tendering

9.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the Council. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.

9.2 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and subcontractors.

9.3 Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.

9.4 Employees contemplating a management buyout should, as soon as they have formed a definite intent, inform the appropriate manager and withdraw from the contract awarding processes.

9.5 Employees should be especially careful to ensure that no special favour is shown to current or former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

## 10. Corruption.

10.1 Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

## 11. Use of Financial Resources.

11.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Council.

## 12. Gifts and Hospitality.

12.1 Employees should not accept significant personal gifts from contractors and outside suppliers, although the Council will allow employees to keep insignificant items of modest value such as mugs, calendars, pens, diaries, etc. up to a value of £10.00.

12.2 Apart from participating in concessionary schemes arranged by the Council, trade unions or other groups specifically for the benefit of their own members, or taking advantage of discounts generally available to any member of the public, employees should not acquire materials, labour or plant at cost, trade or discount prices from or through a contractor employed by the Council.

12.3 Employees responsible for the purchase of goods and supplies on behalf of the Council should note that any promotional offers given by suppliers are the property of the Council.

12.4 Employees should only accept offers of hospitality if there is a genuine need to receive or impart information or represent the local authority in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the Council should be seen to be represented. They should be properly authorised and recorded.

12.5 When gifts or hospitality have to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the Council.

12.6 When receiving authorised hospitality employees should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality.

12.7 Acceptance by employees of hospitality through attendance at relevant conferences, seminars and courses is acceptable where it is clear the hospitality is corporate rather than personal, where consent is given by or on behalf of the Council and where purchasing decisions are not compromised. Where visits to inspect equipment, or for the purpose of investigating any matter relating to the award of any contract, are required, employees should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

12.8 Each chief officer shall maintain a register recording details of hospitality received by employees, and the date on which and by whom authorisation was given for the hospitality to be received. The registers shall be available for public inspection.

## 13. Sponsorship – Giving and Receiving.

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

13.2 Where the Council wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interest. Similarly, where the Council through sponsorship, grant aid, financial or other

means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

14. Breaches of the Code.

14.1 Failure to meet the standards and requirements of this Code may result in disciplinary action against an employee, or action for breach of their employment contract with the Council.

15. Review of the Code.

15.1 The operation of the Code will be evaluated from time to time and will be subject to review as necessary.

Adopted on 16<sup>th</sup> October 2008 Ref: 16/10/08 Item 166.0

Signed: ..... Date: .....

Cllr. J Spanswick – Chair of Brackla Community Council