



EMPLOYEE CODE OF CONDUCT

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1. Introduction

- 1.1 This Code of Conduct applies to all employees and workers, including casual, seasonal, agency workers and volunteers while they are engaged in carrying out duties for the Council (collectively referred to as employees throughout this document for ease of reading).
- 1.2 The purpose of this code is to protect employees from misunderstanding and criticism. All employees have a responsibility to read this code and be aware of the standards of behaviour expected of them and the rules around official conduct.
- 1.3 If any aspect of this code is not fully understood, the employee should seek advice from their line manager.
- 1.4 Employees must comply with this code of conduct as it forms part of their terms and conditions of employment. Breaches of code will be investigated and may result in action in accordance with the Council's disciplinary procedure.

2. Standards

- 2.1 Local government employees are expected to give the highest possible standard of service to the public, and where it is part of their duties, to provide appropriate advice to Councillors and fellow workers with impartiality.
- 2.2 Employees are expected to abide by all Council policies and procedures, and are expected to raise any potential conflicts of interest at the earliest opportunity. Employees have a duty to act in the best interests of the Council.
- 2.3 Employees will be expected to bring to the attention of the appropriate level of management any deficiency in the provision of service, any impropriety or any breach of this code, or other policy or procedure, through agreed procedures and without fear of recrimination.
- 2.4 Should a member of staff have genuine concerns regarding unlawful conduct, financial malpractice or dangers to the public or the environment, but feels unable to raise them directly with the appropriate level of management, reference should be made to the Council's Whistleblowing Policy. This is available via the Council's intranet.

3. General Conduct

- 3.1 Employees are expected to conduct themselves at all times (inside and outside of work) in a manner which will maintain public confidence in both their integrity, and the services provided by the Council. In general, what an employee does while not at work is his/her personal concern, unless those actions would cause a breakdown in the employment relationship. However, an employee shall at all times, while at work, observe this code of conduct, the Council's constitution and other relevant policies, procedures, rules and regulations.

- 3.2 Misconduct outside of work may result in disciplinary action if it directly affects the employee's performance of their work or the reputation of the Council. Any employee who is the subject of any criminal proceedings which might affect their ability to do their job or the reputation of the Council must disclose this to their line manager as soon as practicable who will discuss this with the Human Resources team.
- 3.3 Staff must also follow any role specific policies (available from their manager) or rules as set out by their Professional body/Institute as appropriate.
- 3.4 Employees must not misuse their official position or information acquired in their official duties to further their private interests or those of others.
- 3.5 Where employees have dealings with the Council on a personal level e.g. as a tenant or applicant for planning permission, they should never seek or accept preferential treatment in such dealings and should avoid placing themselves in a position which could lead to accusations of preferential treatment. Officers who are involved in a planning application should make this known on the planning application form. This will mean that in the interests of transparency and fairness, the application will be dealt with by the Development Control Committee rather than under officer delegated powers.

4.0 Confidentiality/Disclosure of information

- 4.1 It is generally accepted that open government is best. The law requires that certain types of information must be available to Members, auditors, Government Departments, service users and the public.
- 4.2 Employees must ensure that they are clear about what information is confidential and their responsibility to maintain that confidentiality. Employees in any doubt as to whether they should release information must consult with their Line Manager or the Data Protection Officer before any disclosure is made.
- 4.3 Where confidentiality is necessary to protect the privacy or rights of individuals or organisations, the information should not be released to anyone other than the individual who has a right to know, or another person who is entitled to receive it for the proper discharge of their duties.
- 4.4 Employees must not divulge any personal or organisational confidential or commercially valuable information which they have access to in the course of their employment. This also applies after staff have left the Council.
- 4.5 All information relating to the Council, however stored, is the property of the Council and staff must not keep or use it for their own purposes. When staff leave the Council for whatever reason, any such information in their possession must be returned to their line manager.
- 4.6 The law also requires that personal information held about individuals must be treated in accordance with the Data Protection Act 2018 and the General Data Protection

Regulation (GDPR). Employees must ensure that they process data lawfully in accordance with the data protection principles.

- 4.7 Information requested under the Freedom of Information Act must be sent to the Information Management Team to be logged and responded to centrally. Employees should attend any training sessions provided by the Council – and seek advice when unsure from their Line Manager or the Data Protection Officer.
- 4.8 Employees need to be aware that potentially any information held by the Council can be disclosed under a Subject Access Request or the Freedom of Information Act, and must always use appropriate and professional language when making notes, reports or sending emails. Information cannot be withheld on the grounds that disclosure would cause embarrassment.
- 4.9 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.

5. Political Neutrality

- 5.1 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.
- 5.2 Where employees are required to advise political groups, they must do so in ways which do not compromise their political neutrality.
- 5.3 Employees, whether or not politically restricted, must not allow their own personal or political opinions to influence or interfere with their work.
- 5.4 If an employee has a post that is politically restricted they will have been made aware of this formally and of the restrictions in place. These restrictions will be deemed to be incorporated into the employee's contract of employment.
- 5.5 While the Council recognises the right of every individual to hold political opinions and to take part in political activity in his/her own time, it also recognises that politics is a subject on which individuals hold many different views. Therefore, employees may not take part in any type of political activity¹ while at work or during work time.

6. Personal Interests

- 6.1 Employees must declare to an appropriate manager any financial or non-financial interests that could be considered to bring about a conflict with Arun District Council's interests.

¹ 'Political activity' means any activity in support of, within or in opposition to, a political party or to a specific candidate. Examples include fundraising; developing publishing or promoting political material, rallies or political gatherings (this list is not exhaustive).

- 6.2 Employees should declare to their Group Head or Director any membership of any organisation not open to the public without formal membership and commitment of allegiance and which as secrecy about rules or membership or conduct.
- 6.3 If an employee, or their spouse/partner or other family members have previously had or currently have any interest (direct or indirect) in any contract under consideration by the Council, then the employee must declare this in writing to their Group Head or Director.

7. Annual Declaration of Interest

- 7.1 Employees are responsible for declaring any possible conflicts of interest as described in this Code or any related policies, procedures, regulations or the Council's Constitution. This can include; any financial or non-financial interests, relationships, secondary employment, or membership of other groups or societies that could conflict with Arun District Council's interests. Each year an employee will be sent an annual Declaration of Interest eform to complete, which the employee must action and submit.
- 7.2 An employee should not wait to complete the annual declaration if they have a change in circumstances which affect whether they have any interests which could conflict with Arun District Council's interests. Any such declaration will be kept on a Register of Interests which can be accessed by the employee or line manager via the e-support team.
- 7.3 If, during the course of their duties, the employee is presented with a potential conflict of interest, the employee should bring this to the immediate attention of the line manager.

8. Outside Commitments

- 8.1 An employee should not put themselves in a position where their outside commitments could conflict with their position at work.
- 8.2 Before taking secondary employment or voluntary work that could conflict with the Council's interests, an employee should speak to their Group Head or Director and seek their prior consent. An employee will need to submit a Declaration of Interest form if there is a potential conflict of interest.
- 8.3 Within certain limits an employee may undertake paid or unpaid private or secondary employment or voluntary work within or outside the Council so long as it does not overlap with an employee's official duties or cause a conflict of interest. The use of facilities e.g. telephones, photocopying, email etc. in connection with private work is not permitted, nor is undertaking private/voluntary work during working time allowed.
- 8.4 If after taking such employment/voluntary work, a conflict or a potential conflict arises then the employee must declare this to their Group Head or Director and complete a Declaration of Interest form.

9. Professional Boundaries/Relationships

- 9.1 Professional boundaries set limits for safe, acceptable and effective behaviour by staff. They are important because they help to clarify acceptable behaviour and protect staff against leaving themselves open to allegations of abuse or misconduct. There are many different ways in which we have to manage boundaries in our work practice and these include:
- Treating service users respectfully
 - Respecting and looking after ourselves and other team members
 - Keeping within our role, following organisational policies and procedures
 - Managing interpersonal relationships
 - Managing our own emotions
 - Managing our own behaviour
 - Having clear and regular communication (with customers/managers/team)
 - Not colluding with service users
- 9.2 Councillors
Employees are responsible to the Council through its senior managers. 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. An employee must promptly declare in writing in their Declaration of Interest any family relationship or close association to a Councillor. Both the Chief Executive and the relevant Group Leader will be made aware of this declaration.
- 9.3 An employee must not seek to influence an individual Councillor to make a decision in his or her personal favour nor raise matters to do with his/her job nor make claims or allegations about other employees.
- 9.4 A Councillor should not put pressure on an employee to deal with an issue outside established policies and procedures. Any issues that arise within this area should be reported and will be dealt with in line with the Member/Officer Relations as detailed in the Council's Constitution.
- 9.5 Local Community and Service Users
Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the Council.
- 9.6 Sometimes a service user may ask for support that breaks professional boundaries because they are unable to understand the need for boundaries themselves, this may be particularly pertinent for children and vulnerable adults. A professional relationship between an employee and a service user is **very** different from one between friends or family members. It can lead to misunderstanding and confusion if an employee and a customer are not clear as to their respective roles. Therefore employees are expected to take the lead in ensuring that professional boundaries are adhered to and report any concerns they may have regarding a service user to their Line Manager.

- 9.7 Employees should be careful about self-disclosure. There are occasions when sharing information about yourself would enhance the relationship with the customer but you must ask yourself 'does this information about me, my family or friends serve the best interest of the customer?' The most common pitfall is when personal information is inappropriately disclosed – this might be with regard to family/relationship problems, financial difficulties or work-related issues instead of focusing on the service user and listening to their needs.
- 9.8 Contractors
All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the appropriate manager and declared on the declaration of interest form. 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, partners, or relatives in the tendering process. No part of the local community should be discriminated against.
- 9.9 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 their Group Head or Director.
- 9.10 Employees must not accept money or any other reward from anyone who may benefit from work or funding provided by the council.
- 9.11 Colleagues
The Council recognises that employees who work together may form personal friendships and in some cases close personal relationships. While it does not wish to interfere with these personal relationships, it is necessary for the Council to ensure that all employees behave in an appropriate and professional manner at work, at all times.
- 9.12 Any employee who embarks on a close personal relationship with a colleague working in the same department/section must declare the relationship to his/her manager. If the relationship is between a manager/supervisor and an employee whom he/she supervises, the relationship should be declared to the appropriate Group Head. The information declared will be treated in strict confidence.
- 9.13 In order to avoid a situation in which an employee has managerial authority over another with whom he/she is having a close personal relationship, the Council reserves the right to elect to transfer one or both of the employees involved in the relationship to a suitable, alternative role within the Council.
- 9.14 The same principles will apply to relatives who work together.
- 9.15 Appointment and other employment matters
Employees involved in selection and appointments of persons to jobs should ensure that any recruitment is made on the basis of merit. It would be unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they

are related to an applicant, or have a close personal relationship outside work with him or her.

- 9.16 Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner, etc.
- 9.17 Employees in close personal relationships or related to one another should wherever possible avoid authorising payment of invoices raised by their relative, partner, etc. Where this is unavoidable, this should be brought to the attention of the Line Manager.
- 9.18 If staff wish to be accompanied on a business trip (i.e. an occasion where they are representing the Council) by a partner or other personal contact, they must have prior authorisation of their line manager to do so. Under no circumstances will any expenses (including although not limited to travel, subsistence or accommodation) relating to the companion be paid for by the Council.

10. Equality issues

- 10.1 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.
- 10.2 Employees must undertake Equality training, and when making decisions on matters including decisions relating to future services and funding, an employee must take into consideration impact of that decision on the protected characteristics as listed in the Equality Act 2010, and be able to evidence that they have done this, using an equality impact assessment when appropriate.

11. Fraud and Money Laundering

- 11.1 The Council's Proceeds of Crime (Anti-Money Laundering) Policy is in place to remind employees about the behaviour and standards expected of them.
- 11.2 Money laundering has the objective of concealing the origin of money generated through criminal activity, and the Council needs to be alert to the possibility that it might be the subject of an attempt to involve it in a transaction involving the laundering of money.
- 11.3 Staff must report any suspicions or wrong-doing to the Group Head of Corporate Support if they believe the Council may be the subject of an attempt to involve it in a transaction that is fraudulent or involves the laundering of money.

12. Bribery and Corruption

- 12.1 Employees must be aware that it is a serious criminal offence for them 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 his/her official capacity. If an allegation

is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

- 12.2 Employees must be aware of the requirements within the Bribery Act 2010 which introduced general offences of offering or receiving bribes and the corporate offence of failing to prevent bribery. Employees must familiarise themselves with the Anti-Fraud, Corruption and Bribery Policy.

13. Separation of Roles during Tendering

- 13.1 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.
- 13.2 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- 13.3 Employees who are privy to confidential information relating to the tendering process should not disclose that information to any unauthorised party or organisation.
- 13.4 Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.
- 13.5 The Council's Constitution covers Standing Orders – Purchasing, Procurement, Contracts and Disposal, and all procurement rules and EU Public Procurement legislation must be followed by staff involved with contracts, tenders, purchasing, procurement and disposal arrangements.
- 13.6 In the event that employees are contemplating a management buyout or workers co-operative, they should, as soon as they have formed a definite intent, inform the appropriate manager/Director and withdraw from any contract awarding processes.

14. Use of Financial Resources

- 14.1 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 authority.

15. Hospitality

- 15.1 Employees should not put themselves in a position which could damage their impartiality or the public's confidence in the Council. Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the local authority in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the authority should be seen to be represented. They should be properly authorised in advance and recorded.

- 15.2 When receiving authorised hospitality employees should be particularly sensitive as to its timing in relation to decisions which Arun District Council may be taking affecting those providing the hospitality.
- 15.3 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal (e.g. where a working lunch is being provided), or in situations where the Council gives consent in advance and where the Council is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment etc., are required, employees should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of any subsequent purchasing decisions.
- 15.4 Offers of a personal nature such as holidays, hotel accommodation, or use of a company flat are unacceptable. When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the authority.

16. Gifts

- 16.1 Employees should not accept significant personal gifts from contractors and outside suppliers, although the Council will allow employees to keep insignificant items of token value such as pens, diaries, etc.
- 16.2 Employees should be aware that it is against the law to solicit or accept gifts or reward in return for allowing them to be influenced in any way in their official capacity.
- 16.3 Any other offers or attempts at gifts which are not of a token value should be reported by the employee to their Group Head or Director. If any goods or gratuities are delivered to an employee directly, then these should be returned to the sender and the matter reported to the Group Head and Director.

17. Sponsorship

- 17.1 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.
- 17.2 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 authority through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

18. IT Security

- 18.1 Information is one of the Council's key assets. Employees must use and look after information in a responsible way and in accordance with all relevant policies and must

familiarise themselves with the Information Security Policy, and users of GCSx must also comply with the GCSx Acceptable Usage Policy.

- 18.2 Preventing unauthorised access to council IT systems and data is extremely important; passwords must never be shared, and special care must be taken when sending personal data outside of the organisation. Any suspected data breach must be reported immediately to the Council's Information Management Team / Data Protection Officer.
- 18.3 Employees are reminded that computer systems are monitored including internet and email usage and all employees must read and accept the Internet and Email Acceptable Usage Agreement.
- 18.4 Employees using laptop computers, tablets and other portable equipment must take special care because this equipment is valuable and much more susceptible to theft or loss. Employees must never leave such equipment unattended in a public area or on display in vehicles.
- 18.5 When using social media either inside or outside of work, employees are reminded not to post defamatory or inappropriate comments about the Council or its staff, Councillors and service users. Employees must follow the Staff Social Media policy, which is available on the intranet.

19. Contact with the Media

- 19.1 Relations with the media require specific skills and expertise. All contact with the media should be conducted through or in consultation with the Communications Team to protect individual employees from unwanted media attention and to ensure the corporate promotion of the policies and reputation of the Council.
- 19.2 If an employee is asked by the media to comment, give an interview or answer questions on a Council matter, the employee should seek the permission of their Group Head and Director and discuss it with or refer it to the Communications team.

20. Publications

- 20.1 If an employee wishes to write to a newspaper or other journal or publish or authorise the publication of any book or article where the employee could be identified as a Council employee they must obtain permission from their Group Head or Director and in the latter case ensure that a statement appears in a prominent position in the book or article which states that the Council accepts no responsibility for the employee's opinions and conclusions.
- 20.2 Where an employee is acting in a personal capacity or as a spokesperson for a private group, an employee must not bring the Council into disrepute by publicising material which is against the Council's interest or other employees or could cause the Council embarrassment.

21. Use of Council Facilities

- 21.1 Council buildings and facilities must not be used for unauthorised purposes.
- 21.2 Access is granted to the internet, telephones and other electronic systems for legitimate business purposes only.
- 21.3 Incidental personal use of the Council's phone is permitted; however, this concession may be withdrawn from the individual if use is considered excessive.
- 21.4 The use of mobile phones whilst at work for personal use is allowed, however, employees are expected to be moderate in their use, they should not be used for general socialising or entertainment purposes, this concession may be withdrawn if it is felt this is being abused or usage considered excessive. Employees in customer facing roles should refrain from using their mobile phone when in sight of the public.

22. Public Office

- 22.1 If an employee wishes to seek public office (either elected or non-elected) they must apply for permission to do so from their Director beforehand.
- 22.2. Prior to any application being made, an employee must:
- Ensure that they have checked with Human Resources whether their post is politically restricted under the Local Government and Housing Act 1989;
 - They must be aware of the possible conflicts of loyalty between being a Councillor in one authority and an employee of another;
 - Keep the two roles distinct and not use confidential information obtained in one position to gain advantage in the other; and
 - Give careful consideration to their involvement in local politics or community matters which affect the Council.

23. Criminal Charges

- 23.1 An employee must inform Human Resources as soon as possible if they are arrested by the police in the UK or any other country or where their conduct is the subject of a criminal investigation, charge, pending prosecution, caution or conviction so that proper consideration can be given by the Council as to the appropriate response.
- 23.2 A criminal investigation, pending prosecution, charge, caution or conviction relating to conduct (whether inside or outside of work) may be treated as a disciplinary matter if Arun District Council consider that it is relevant to the employee's employment.

24. Copyright

- 24.1 All copyright created in the course of an employee's employment will belong to the Council.

25. Breaches of the Code of Conduct

- 25.1** Any breach by an employee of any part of the Code of Conduct or its supporting policies and guidance may render the employee liable to disciplinary proceedings.