

Milton Parish Council
Employees' Code of Conduct
Covering all aspects of employee conduct in the workplace

1. Aim

Employees' Code of Conduct

1.1 The public is entitled to expect the highest standard of conduct from all local government staff. The aim of this Code is to set out the minimum standards expected of Milton Parish Council Employees, to help maintain and improve those standards and to help protect Employees from unjustified criticism or misunderstanding.

2. Introduction & Interpretation

2.1 This Code applies to all the Council's Employees, including part time and agency staff, whether working under a contract of employment or a contract of service with the Council

2.2 The extent to which this Code affects individual Employees will depend to some extent upon their job. All Employees should make sure they are aware of the Council's policies and practices which are relevant to them or their job which can be found in the Staff Handbook.

All other Policies can be obtained from the Clerk.

2.3 Officers should also be aware of legislation that may affect the way in which they do their jobs including Health and Safety legislation and the Human Rights Act 1998.

2.4 This Code is to be interpreted in accordance with Council's Standing Orders and Code of Conduct for Members.

3. Application

3.1 An Employee must observe this Code of Conduct whenever they:

- a. conduct the business of the Council;
- b. conduct the business of any office to which he has been appointed by the Council or
- c. act as a representative of the Council,

and references to an Employee's official capacity shall be construed accordingly.

3.2 Where an Employee acts as a representative of the Council on any other body, they must, when acting for that other body, comply with this Code of Conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

4. Bringing the Council into Disrepute

4.1 An Employee must not in their official capacity, or any other circumstance, conduct themselves in a manner which could reasonably be regarded as bringing their office or the Council into disrepute.

5. Equality and Fairness

General

5.1 An Employee must:

- a. promote equality by not discriminating unlawfully against any person, and
- b. treat others with respect

5.2 This means, amongst other things, that Employees should give courteous, efficient and impartial service, treating everyone equally and in line with the Council's Equal Opportunities and relevant Policies. They should also comply with legal requirements on human rights, equality and anti discrimination issues.

The Workplace

5.3 Within the workplace, there should be mutual respect and Employees' behaviour should be conducive to a productive and harmonious work environment, with all Employees having a right to be treated with courtesy, fairness and equality. Unless there are good reasons why not, e.g. for legal reasons, Employees should always first follow internal procedures to resolve problems, reporting and taking issues through their managers or through recognised procedures, including the Grievance Procedure.

Appointment and Management of Staff

5.4 The canvassing of any Member in connection with an appointment of or the conferring of any benefit on an Employee will normally automatically disqualify the candidate or Employee from the appointment or benefit, as the case may be.

5.5 An Employee appointing, promoting, disciplining or otherwise involved in the terms of employment of a member of staff must make their decisions on merit only and in accordance with the Council's Equal Opportunities Policy. They should not take part in the process if they are a relative or partner of that person or have a friendship or affiliation with them which a reasonable person might consider would prejudice their view of the matter.

Contractors

5.6 An Employee awarding or taking part in the awarding or making of any contract on behalf of the Council shall make their decisions only on merit and in accordance with the Council's Contract and Finance Rules. They should not take part in the process if they are a relative or partner of a contractor or potential contractor (including an employee or officer of the contractor) or otherwise have a friendship or affiliation with them which a reasonable person might consider would prejudice their view of the matter.

First line 5.6 above – the clerk/assistant clerk takes part in awarding a contract only in that they are following instructions of Council and do not make decisions on their own

6. Political Neutrality

6.1 Employees must not do anything which compromises or which is likely to compromise their own political impartiality or that of those who work for, or on behalf of, the Council.

6.2 Amongst other things this means that all Employees will:

1. provide appropriate advice to all Members with impartiality;
2. without fear of recrimination bring to the attention of management any deficiency in the provision of service or any impropriety or breach of procedure;
3. serve the Council as a whole
4. ensure that the individual rights of all Members are protected;
5. in advising Political Groups, or their representatives, not compromise political neutrality;
6. must when using or authorising the use by others of the resources of the Council act in accordance with the Council's lawful requirements and not allow their own political or personal opinions to interfere with their work.

6.3 Nothing in this Part is intended to limit the trade union activity of any Employee nor their right to be a member of a political party.

7. Private or Personal Interests

General

7.1 An Employee:

- a. must not in their official capacity, or any other circumstance, use their position as an Employee improperly to confer on or secure for their self or any other person, an advantage or disadvantage nor place their self in a position which might reasonably lead a member of the public to believe that they is acting in such a manner;
- b. if they have private business with the Council, (whether on their own behalf or otherwise), must first inform the Clerk. This would not apply to routine business with the Council of the sort normally carried out by local residents or taxpayers including, eg:
 - the payment of Council Tax or business rates;
 - enquiries about Council services;
 - minor complaints about poor or non-delivery of Council services.

7.2 An Employee must, if they are aware of it, declare in writing to the clerk (the clerk to the chairman) any financial interest or dealings which they or a relative or partner may have in any business or contract which may have a business relationship with the Council.

Membership of Other Bodies

7.3 An Employee may inform in writing to the Clerk their membership of any formal or informal organisation or network that has secrecy about its rules, membership or conduct.

Use of facilities

7.4 The Council's time, property and facilities, including the use, stationery, offices etc, may be used only for official Council business unless the approval of the Clerk/Chairman has first been obtained.

Post

7.5 Employees are asked not to have personal mail delivered to the Council's offices.

7.6 Whilst the Council recognises the need to respect the reasonable privacy of its Employees/ Members in the workplace, the Clerk may at their absolute discretion open or arrange to have opened any post received in the Council's offices and addressed to an Employee/ Member.

Outside Work

7.7 Some employees have conditions of service which require them to obtain written consent to take any outside employment. All Employees should make themselves clear as to their contractual obligations in this respect. In particular, no Employee should take outside employment which conflicts with the Council's interests including:

- a. employment which impacts upon or conflicts with their work for the Council or functions that the Council performs; and
- b. any work of any kind in connection with the making of any planning, building regulation or other application for a decision from the Council.

7.8 All Employees who undertake additional work outside the Council's employ must notify the Clerk in order to comply with the Working Time Regulations 1998.

7.9 Employees shall not undertake any private trading, including the posting and distribution of promotional material, on Council premises or whilst on Council duties.

8. Gifts

8.1 It can be a serious criminal offence for Local government employees to accept any fee, reward or gift, other than their proper remuneration for doing their job (Local government Act 1972).

8.2 Cash and monetary gifts should always, without exception, be refused.

8.3 Other gifts should normally be refused, particularly when offered from someone who

- a. provides, might provide or has recently provided goods or services to the Council; or
- b. who needs or has recently received a decision from the Council.

8.4 The only occasions upon which an Employee may accept a gift are:

- a. small scale promotional gifts and tokens such as calendars and diaries which are used in the workplace; and
- b. exceptionally, gifts offered, eg in the context of a civic, ceremonial or other significant community event where the circumstances set out in paragraph 8.3 do not apply and Council has agreed to the Employee keeping the gift.

8.5 An Employee declining a gift should politely do so and where practical return it to the donor with an explanation as to why it cannot be accepted. Where returning the gift is likely to be expensive or inconvenient, it should be donated to a suitable charity and the donor advised of what has happened and politely requested not to make similar gifts in the future.

8.6 Whether a gift (including a gift offered to a relative or partner) is accepted or refused, the Clerk should, unless it comes within paragraph 8.4 (a) above, be informed and the circumstances should be entered in the register of gifts and hospitality maintained by the Clerk.

9. Hospitality

9.1 It is recognised that it is reasonable for the Council, through its Employees, to maintain a good relationship with other agencies, local businesses and the community. A reasonable amount of entertainment is an accepted part of public life and can help good working arrangements. However, it is vital to avoid the impression of improper influence being exerted on the Council.

9.2 Common sense should be applied. Employees should consider the nature and scale of the hospitality, the circumstances in which it is offered and the relationship between the donor and the Council (including the criteria for the refusal of gifts set out in paragraph 8.3 above). An Employee particularly needs to consider whether the decision to accept the hospitality can be justified to the Council and the media.

9.3 It is not possible to cover every situation, but the following guidelines apply:

- a. Hospitality should only be accepted if there is a genuine need to impart or receive information in relation to Council business, or to represent the Council in the community;
- b. Free invitations or free tickets to attend social function or sporting events should only be accepted where the occasion is a part of civic or Milton community life or the Council should be seen to be represented;
- c. Employees may accept hospitality as part of attendance at conferences or courses provided that this would not compromise a purchasing decision;
- d. Modest refreshments offered in the normal course of business, eg coffee, sandwiches over a lunchtime meeting, etc may be accepted;
- e. To avoid prejudicing the integrity of subsequent purchasing decisions, the costs of visits to inspect equipment, systems, programmes etc. should be approved by Council.

9.4 When hospitality is refused, the person offering should politely be informed why.

9.5 Whether hospitality (including hospitality offered to a relative or partner) is refused or accepted, it should, unless it comes within 9.3 (d) above, be entered in the Register of Gifts and Hospitality maintained by the clerk.

10. Confidentiality and Access to Information

10.1 An Employee must not:

- a. disclose outside the workplace information given to them in confidence by anyone, or information acquired which they believe is of a confidential nature, without the consent of a person authorised to give it or unless they are required by law to do so; nor
- b. prevent another person from gaining access to information to which that person is entitled by law.

10.2 Paragraph 10.1(a) applies to:

- a. personal data about an individual, including a fellow Employee;
- b. commercially sensitive matters, eg as part of a tendering process
- c. confidential proceedings in meetings and any reports or other documents connected with them; and
- d. information protected by the Data Protection Act and similar legislation.

10.3 Telephone requests for confidential information should be asked to be put in writing **as per the Freedom of Information Act**. If it is urgent, the caller must be asked to leave their name, position, department and telephone number. Reasonable checks should be made (including checking the telephone number) before parting with information.

11. Fidelity

11.1 All Employees have a general duty to obey lawful and reasonable instructions, to serve the Council, as their employer, personally and faithfully, to exercise reasonable care and skill in carrying out their work, to abide by the law and not to disclose confidential information after the employment ends.

Reviewed April 2019

Due to be reviewed April 2020