

# **Employees' Code of Conduct**

## Employees' Code of Conduct

### Contents

- 1 Introduction
- 2 Equalities
- 3 Working Relationships
- 4 Duty to Declare Interests
- 5 Intellectual Property
- 6 Information Technology
- 7 Gifts and Hospitality
- 8 Legacies
- 9 Confidential and Other Information
- 10 Corruption
- 11 Outside and Additional Work
- 12 Appointments and Related Employment Matters
- 13 Political Restrictive Posts
- 14 Political Neutrality and Contact with Councillors
- 15 Publications – Broadcasts
- 16 Personal use of social media by employees
- 17 Whistleblowing

Appended - Employee code of conduct declaration form

**1. Introduction**

- 1.1 The public is entitled to demand the highest standards of conduct from all local government employees. This Code aims to guide all employees on their conduct inside work and outside work where this has a bearing on their position within the Council.
- 1.2 It is the responsibility of all Council employees (except those employed by Schools) to read and abide by this Code in conjunction with relevant parts of the Constitution and Council Policies. Copies of policies referred to in this Code can be found on the Intranet or from your manager or Human Resources.
- 1.3 The Council is extremely conscious that public confidence can be damaged where the integrity of a Council employee is called into question and s/he is suspected of being influenced by improper motives.
- 1.4 The Code forms part of the Formal Action Policy. Any breach of this Code may lead to disciplinary action and may in some instances constitute gross misconduct.
- 1.5 If you are unsure about any aspect of this Code, please seek guidance from your line manager or Human Resources.

**2 Equalities**

- 2.1 Employees should promote equality by not discriminating unlawfully against any person and must comply with the Council's equality policies.

**3 Working relationships**

3.1 General

The Council expects all employees to deal with one another, the public, clients and elected Councillors in a courteous and civil manner. The Council expects relationships and communications between work colleagues (including those between managers and team members) to be supportive, co-operative and respectful. Employees should behave in a way that enhances the performance and well-being of others and the effectiveness of Council services.

Employees should be aware of the Council's Health and Safety Policies when exercising their functions.

3.2 Councillors

Employees who work and give advice to Councillors should do so with mutual respect and employees should follow the Councillor/Officer Protocol.

3.3 Local Community

Employees must remember their responsibilities to the community that they serve and provide a courteous, efficient and impartial service to all groups and individuals within the community.

3.4 Other Parties

Employees should refer to the Council's Contract Procedure Rules in the Constitution for further details.

Organisations and agencies support, assist and partner the Council in the provision of services. Employees must work within the terms of the contracts/agreements made between contractors/suppliers/partners and the authority.

**4. Duty to declare interests**

4.1 Employees must declare to their head of service any financial or personal/ social interests that could conflict with the Council's interests or cause your conduct to be questioned. The interest may be advantageous or have a detrimental effect on you (an example of a detrimental interest may be a situation where you experience threats or pressure from family or friends to act in a particular way in your official capacity).

4.2 Employees should not have managerial responsibility for those with whom they have close private relationships (e.g. partners and family). If such a relationship arises, during the course of your employment, it must be declared to your line manager.

4.3 Each service maintains a confidential register of declarations which must be in writing, giving information about the nature of the interest and the names of the parties and the functions involved. Directors and heads of service are also required to complete returns to be included in a confidential register which should be kept by their line manager.

**5. Intellectual Property**

5.1 The Council retains intellectual property rights for work undertaken by employees. Research, reports, designs, drawings, software developments or similar work, when created in the course of an employee's normal duties, remain the property of the Council. These should not be removed from Council premises or passed on to a third party by any employee acting in a private capacity without the express consent of the Council.

**6. Information technology**

6.1 Employees are referred to the Council's internet and computer policies found on the Intranet.

6.2 Employees must follow the Council's policies in relation to the use of computer

facilities, equipment and services.

## **7. Gifts and hospitality**

- 7.1 Employees are referred to the Council's Gifts, hospitality, bequests and sponsorship policy found on the Intranet.
- 7.2 The acceptance of gifts and hospitality, even on a modest scale, may arouse suspicion and must be capable of public justification.
- 7.3 Where it is in the Council's interests to offer hospitality to organisations on Council premises such arrangements must only be made with the express permission of the head of service or Director and be on a scale appropriate to the occasion.
- 7.4 You are strongly advised to refuse or return any gifts, hospitality or other favours from persons inside or outside the Council as any such acceptance could well put you in a compromising position.
- 7.5 It is a serious criminal offence for employees of the Council to corruptly receive or give any gift, loan, fee, reward or advantage in order to influence official conduct. It is also an offence to accept any gift or consideration in the knowledge or belief that it is intended as inducement or reward, whether the employee receiving it is influenced or not.
- 7.6 There may be occasions where refusal of personal hospitality or a small token gift (e.g. at Christmas or another notable religious occasion) would clearly cause offence or be impracticable for cost or other reasons. When declining a gift or hospitality you should courteously but firmly inform those making the offer of the procedures and standards operating within the Council. Where the refusal of an unsolicited gift may cause offence, the gift may be donated to the Lord Mayor's official charity and the donor informed accordingly in writing.
- 7.7 The acceptance of all gifts and/or hospitality must be authorised in advance by a head of service or Director and recorded in writing in the directorate register. Offers that are declined must also be recorded in the register.

## **8. Legacies**

- 8.1 Employees are referred to the Council's Gifts, hospitality, bequests and sponsorship policy found on the Intranet.
- 8.2 On occasion members of the public or clients may wish to express their appreciation of Council officers or services of a particular employee by leaving money/gifts in their will. Members of the public should be discouraged from doing this.
- 8.3 Where an employee has notice that they are to be bequeathed money/gifts from a member of the public or client they must report this to their head of service.

Employees should refer to the Council's hospitality, bequests and sponsorship policy for full details.

**9. Confidential and other information**

9.1 The Council expects all employees to safeguard confidential information, including when they leave the Council's service. Information which can be classified as 'confidential' can broadly be grouped into the following areas:

- Information of a specific and personal nature about employees, potential employees, service users, customers, individuals and organisations who come into contact with the Council.
- Sensitive organisational information.
- Business/commercial information e.g. pricing, quotes, matters affecting negotiations with suppliers, trade unions etc. Exempt/confidential committee papers (i.e. those on Part II of any Agenda) must not be released to the public or a fellow officer (unless they have a clear right of access) without the consent of the Local Democracy Manager.

9.2 You must not use any information obtained in the course of your employment for personal gain or benefit. You must not pass on such information to others who might use it in a similar way. All employees are under an obligation not to access or attempt to access information which they are not authorised to have.

9.3 When employees are faced with requests for disclosure, guidance should be sought from your line manager or Human Resources.

9.4 Any deliberate breach of confidentiality, improper disclosure of information or misconduct in relation to official documents will be treated as a serious matter and will lead to disciplinary action.

**10. Corruption**

10.1 Employees are referred to the Anti- Fraud and Corruption Policy found on the Intranet.

10.2 It is a criminal offence for you 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 your official capacity.

**11. Outside and additional work**

11.1 Employees must ensure that any reward or fee they receive from employment outside the Council has been authorised in advance in accordance with this Code.

11.2 All employees are bound by a duty of fidelity where they should not to breach

confidence or participate in competing activities. The Council has the right to take necessary and reasonable steps to protect its legitimate business interests.

- 11.3 Any additional work (whether paid or unpaid) you wish to undertake must not conflict with the Council's interests or in any way weaken public confidence in the authority. Accordingly, all employees of the authority are required to obtain consent, in writing (to be retained on their personal file), from their head of service in advance, and on each occasion, if they wish to engage in any other business, take up additional employment or work outside the authority. This provision also applies to Directors who will require the prior consent of the Chief Executive should they wish to engage in such activity.
- 11.4 Employees must not undertake any duties/work (whether for payment or otherwise) of a type that you normally undertake for the Council on behalf of:
- Any other Council employee, without the prior written agreement of your head of service who shall, if agreement is given, notify the Director of Human Resources; or
  - Your Director, without the prior written agreement of the Chief Executive.
- 11.5 Employees do not need approval to undertake voluntary work or work for trade unions or political parties provided this work does not conflict with the Council's interests.
- 11.6 The Council will generally not give approval for additional or outside work if it:
- Is for anyone who is in a supervisory or managerial relationship with an employee.
  - Places the employee in a position where their official duties and private interests may conflict.
  - Affects the employee's health or ability to maintain acceptable standards of work.
  - Might weaken public confidence in the conduct of the Council's business.
  - Involves the employee being in competition with the Council.
- 11.7 Where approval has been given to undertake additional or outside work, employees must not:
- Use Council accommodation or facilities (vehicles, computing equipment, photocopiers, telephones etc.).
  - Submit applications of any description to the Council on behalf of any other person without written permission from their Director.
  - Use their knowledge of the Council or staff to help secure particular decisions or outcomes.
  - Undertake private work in office hours or when they are absent due to ill

health.

- Portray themselves as employees or agents of the Council when undertaking additional or outside work.

11.8 Outside work should not be undertaken for any person, company or contractor who is known by the employee to have a contractual relationship with the Council, or who is seeking work from the Council.

## **12. Appointments and related employment matters**

12.1 The Council recruits on merit and requires that its appointments are made without bias. If you are responsible for appointing employees, please follow the Council's recruitment policy. It is unlawful for you to make an appointment other than on the basis of merit. In order to avoid any possible accusation of bias, you should not be involved in an appointment where you are related to an applicant, or have a close personal relationship outside work. You must not canvas on behalf of any applicant.

12.2 Similarly, you must not be involved in decisions relating to discipline, promotion or pay adjustments for another employee who is a relative, partner, close friend, or where you have some other close personal relationship.

## **13. Political Restrictive Posts**

13.1 Some employees' posts are subject to political restriction. This means that the postholders are prohibited from involvement in political activities as these could conflict with the responsibilities at work.

13.2 The Local Government and Housing Act 1989 requires that anyone who is employed by a local authority in a politically restricted or sensitive post is disqualified from being elected as a Member in another local authority or as a Member of Parliament or as a Member of the European Parliament. Employees holding politically restricted posts are also unable to undertake certain political activities within the following broad categories:-

- Writing or speaking publicly on politically controversial issues.
- Canvassing at any election on behalf of a political party or at elections for MPs, MEPs or Councillors.
- Holding office in any political party.
- Publicly declaring themselves a candidate for Councillor, MP or MEP.

13.3 A list of politically restricted posts is held by the Director of Human Resources. The failure of a postholder holding a politically restricted post to comply with the restriction will result in disciplinary action being taken on the grounds of misconduct.

## **14. Political neutrality and contact with Councillors**

14.1 Employees serve the authority as a whole. It follows that they must serve all

Councillors (not just those of the ruling political group) and must ensure that the individual rights of all Councillors are respected treating political groups and individual Councillors in a fair and even handed manner. Insofar as employees may be required to advise political groups, they must do so in ways that do not compromise their own political neutrality. This subject is covered in detail in the Councillor/Officer Protocol which governs relations between elected Councillors and Council officers.

- 14.2 It is important that Councillors' enquiries should be dealt with efficiently and effectively within the established policy and procedures for the service area concerned. If employees consider that unreasonable Councillor pressure is being brought to bear with a particular issue outside of established procedures and policies, the relevant details must be referred to your Director. It is the Chief Executive's responsibility to determine whether the incident concerned should be reported to the group secretaries.

## **15. Publications - Broadcasts**

- 15.1 Employees who are broadcasting on a subject connected with the work of the Council should obtain permission from the Chief Executive and their Director in advance and to submit where possible a copy of the script of the broadcast or otherwise advise on general subject matter.
- 15.2 Employees should not publish, or authorise without the permission of their Director the publication of any book or article by them or with others which indicates that the writer is an employee of or connected with Portsmouth City Council.
- 15.3 Similarly, employees should not without permission from the Council, make any communication to a newspaper or other journal in which there is any indication that they are an employee or otherwise connected with Portsmouth City Council. Employees acting in either a personal capacity or as a spokesperson for outside groups should not bring the Council into disrepute by publicising material adverse to the Council or other employees. This is not intended to preclude Trade Unions from pursuing their legitimate industrial relations activities.
- 15.4 The Council has established corporate communications, which is responsible for all-official press releases and statements. Individuals who are asked by the media to make comments should refer such requests direct to that section.

## **16. Personal use of social media by employees**

- 16.1 The Council respects all employees' right to a private life, however, where they are identified as a Council employee, they are expected to behave appropriately and in line with Council policies.
- 16.2 All employees must ensure that, in their use of social media and instant messaging systems, they do not make comments about other employees, customers, councillors or the Council that are or could be perceived to be derogatory, abusive, damaging to the individual's or the Council's reputation

or amount to harassment, even where such comments are made outside working hours. They should be mindful that such comments could give rise to legal action and may lead to disciplinary action.

- 16.3 Employees are responsible for their own actions and must not assume that their social media use will remain private. To minimise the risk, employees may wish to specifically exclude any reference to the Council or their job role on their profiles, posts or in their commenting.
- 16.4 Employees must be aware that where they do choose to identify as a Council employee on their personal social media accounts they are responsible for any comments on their pages, including tags and must also abide by the following conditions:
- Any posts, comments and opinions must not bring the Council into disrepute.
  - Potentially confidential or sensitive information must be protected.
  - It must be clear that comments are not made on behalf of the Council.
  - An employee must declare on their profile that views are their own and do not reflect views of the Council.
- 16.5 An employee should not accept PCC customers/service users known to them in the course of their employment as 'friends' in their personal social media accounts.
- 16.6 If an employee is concerned that the use of social media or instant messaging systems are compromising customer service, patient safety, wellbeing, confidentiality or have the potential to bring the Council into disrepute, they should speak to their manager in the first instance or contact HR for advice.
- 16.7 Information regarding business use of social media is available in the 'Social media guide for staff' located on the intranet.

## **17. Whistleblowing**

- 17.1 Employees are referred to the Council's whistleblowing policy found on the Intranet.
- 17.2 Council expects employees who witness, or have their suspicions raised, or are approached to become party to potentially fraudulent, corrupt, dangerous or improper behaviour, to report these incidents or concerns either to their line manager or other Council manager or through the agreed whistleblowing procedures.

**EMPLOYEE CODE OF CONDUCT**



**Portsmouth**  
CITY COUNCIL

**DECLARATION OF INTEREST**

**Portsmouth City Council**

All employees must use this form to declare that they have read and understood their obligations under the city council's Code of Conduct and to register with their line manager details of any interest(s) they may have under Section 4 of the Code.

**If you are in any doubt, it is always better to declare what may be a potential conflict of interest. Seek advice from your line manager.**

NAME

SERVICE

Section of Code	Details of Interest

- I confirm that I have read and understood my obligations under the Code of Conduct for Employees of Portsmouth City Council. I confirm that I have declared my interest under Section 4 of the Code.

OR

I confirm that I have read and understood my obligations under the Code of Conduct for Employees of Portsmouth City Council. I confirm that currently I have no conflicts of interest under Section 4 of the Code.

- Delete as applicable

Signed

(Employee)

Date .....

Signed

(Line Manager)

Date .....