

## **DONCASTER METROPOLITAN BOROUGH COUNCIL**

# **Code Of Conduct For Employees**

## **1. Introduction**

- 1.1 The public is entitled to expect the highest standards of conduct from all employees who work for Doncaster Metropolitan Borough Council.
- 1.2 The Code of Conduct outlines existing laws, regulations and conditions of service, and provides further guidance to assist the Council and its employees in their day to day work. It is aimed at ensuring that employees are aware of the standards of behaviour expected of them by the Council.
- 1.3 Failure to observe the standards set out in this code will be regarded as serious and any breach will render an employee liable to disciplinary action, which may include dismissal.
- 1.4 The code applies to all employees of Doncaster Metropolitan Borough Council and is supplemented by professional, Council and Directorate/Departmental requirements or guidance regarding standards of conduct in particular areas of work.
- 1.5 A number of these additional sources of guidance are listed in the Appendix at the end of this code. This list is not, however, exhaustive and employees should ensure that they familiarise themselves with any relevant guidance which may be provided in respect of their particular area of work. In the first instance, advice should be sought from either their supervisor or the Directorate/Departmental staffing section.

## **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 employees with impartiality. Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any significant deficiency in the provision of service.
- 2.2 It is the duty of each employee to report any impropriety or breach of procedure. The appropriate procedure is outlined in Doncaster Metropolitan Borough Council's Whistleblowing Procedure.

### **3. Disclosure of Information**

- 3.1 This Council believes 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. The Council is entitled by law to keep certain information confidential. The Council may still decide in some circumstances to make such information open to the public. It is important for employees to be aware of which information the Council properly and lawfully considers confidential, and to act accordingly.
- 3.2 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 information received by an employee in the course of his/her employment should only be used for the purpose for which it was given or collected and should not be divulged unless the circumstances for disclosure have been specified in advance or where disclosure is required or sanctioned by law.
- 3.3 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.
- 3.4 All employees must comply with the provisions of the Data Protection Act. The Data Protection Act 1984 controls the disclosure of personal information held on computer or recorded in a form that can be processed automatically. The Data Protection Act 1998 will extend these duties. Detailed advice is available from the Data Protection Liaison Officer.

### **4. Political Neutrality**

- 4.1 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.
- 4.2 Where employees are required to advise political groups, they must do so in ways which do not compromise their political neutrality.
- 4.3 Employees, whether or not politically restricted, must follow every lawful expressed policy of the Council and must not allow their personal or political opinions to interfere with their work.

- 4.4 Certain posts are designated politically restricted by the Local Government and Housing Act 1989. Employees holding such posts have restrictions placed upon them regarding their out of work activities. Holders of such posts should make themselves familiar with the Personnel Information Bulletin - Local Government and Housing Act 1989 which is given to them on appointment.

## **5. Relationships**

### **5.1 *Councillors***

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. Employees should aim to develop a relationship with councillors based on mutual respect and support. Employees need to understand the limitations to personal friendship with councillors and should avoid any actions which could be perceived as being designed to achieve personal as opposed to the Council's objectives. Advice to political groups must be given in such a way as to avoid compromising an employee's political neutrality and must be confined to Council not party political business.

Relationships with a particular party group should not be such as to create public suspicion that an employee favours that group above others and any information communicated to an employee by a third party group, in confidence, should not be communicated to other party groups.

### **5.2 *The 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 Authority.

### **5.3 *Contractors***

All relationships of a business or private nature with contractors or potential contractors to the Council, 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.

- 5.4 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.

## **6. Appointment and Other Employment Matters**

- 6.1 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 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.
- 6.2 Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner, or any other individual where there may be a conflict of interest.

## **7. Outside Commitments**

- 7.1 All employees have contractual obligations and should not take outside employment which conflicts with the Council's interest.
- 7.2 All employees graded above spinal column point 28 of the NJC for local government services national agreement on pay and conditions are required to obtain consent of the Council, via the appropriate Chief Officer, to take outside employment.
- 7.3 No outside work of any sort, whether paid or unpaid, should be undertaken during working time.
- 7.4 Employees should be aware of the Council's position on the ownership of intellectual property or copyright created during their employment. "Intellectual property" includes inventions, designs and computer software. Where it is developed in the course of an employee's duties it is the property of the Council.

## **8. Personal Interests**

- 8.1 Employees must declare to the Chief Officer any non-financial interests that they consider could bring about conflict with the Council's interests, for example, if you are involved in an official capacity with an outside organisation which has dealings with the Council, e.g. grant requests.
- 8.2 Employees must declare to the Chief Officer any financial interests which could conflict with the Council's interests, e.g. work for which a fee is received.

- 8.3 Employees should declare to the Council, via the Chief Executive, membership of any secret societies. The definition of “secret society” is as follows:

“Any lodge, chapter, society, trust or regular gathering or meeting which:

- is not open to members of the public who are not members

and,

- includes in the granting of membership a requirement of the member to make a commitment (whether by oath or otherwise) of allegiance

and,

- includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy in regard to rules, membership or conduct.”

- 8.4 Where employees have declared an interest, the detail will be kept in a register under the authority of the Chief Executive.

## **9. Equality Issues**

- 9.1 The Council is an equal opportunities employer and all employees are under an obligation to ensure that its policies relating to equality issues plus those required by law, are complied with.
- 9.2 All members of the local community, customers and other employees have a right to be treated with courtesy, fairness and equity.
- 9.3 The Council’s objective is to promote equality of opportunity and prevent unlawful discrimination. Its commitment to equal opportunities is set out in its corporate Equal Opportunities Policy and Practice Document.

## **10. Separation of Roles during Tendering**

- 10.1 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.
- 10.2 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

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

## **11. Corruption**

- 11.1 The Council will not condone corruption/fraud and its expectation on propriety and accountability is that employees at all levels will lead by example in ensuring adherence to rules, procedures and recommended practices.
- 11.2 It is a serious criminal offence for employees 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 such a gift or reward is received by an employee it will be for the employee to demonstrate that any such item has not been corruptly obtained.

## **12. Use of Financial Resources**

- 12.1 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.

## **13. Hospitality**

- 13.1 The Council has a Code of Practice on Gifts and Hospitality and a Register of Employees' Interests. It is essential that employees comply with the code and where necessary seek further advice/guidance prior to acceptance in all cases.

## **14. Sponsorship - Giving and Receiving**

- 14.1 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 rules and conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

- 14.2 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 the appropriate Chief Officer/Director 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.

## **15. Contact with the Press and Media**

- 15.1 The Council has a Press Officer whose role is to deal with the press and media and offer advice and guidance to Directorates in the preparation of information and publicity for their services.
- 15.2 Unless specifically nominated and authorised by the Chief Executive or the Chief Officer of the Department concerned, employees are not permitted to give reports or speak to the press and media on matters relating to employment with the Council, Council business or decisions of the Council. Employees with this responsibility should guard themselves against declaring a view which is contrary to a position taken by the Council and which may be deemed to be critical of that decision.
- 15.3 In the event of an industrial dispute involving your Trade Union organisation, an elected representative of that Trade Union may be called upon by the press or media to comment on the dispute. Where a decision is taken by that Trade Union organisation to respond, the employee should exercise great care in presenting the facts of the case and should avoid personal opinions which may be damaging to the Council.
- 15.4 In all circumstances, employees are under a general duty of care to avoid, wherever practicable, a conflict of interests situation arising and should not criticise, damage or act in any way against the best interests of the Council. Should this occur, then the employee will be subject to disciplinary action in accordance with the agreed procedures.

## **16 Smoking**

- 16.1 The Council has a policy on smoking at work. Employees are reminded that if found smoking in contravention of the policy, it will be regarded as a disciplinary offence.

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## **Appendix**

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Code of Practice on Gifts and Hospitality and Personal Interests

Corporate Complaints Procedure

Customer Care Strategy

Data Protection Handbook

Email Code of Practice

Financial Regulations

Health and Safety at Work Policy

Information Security Policy and Procedure

Personnel Policies and Procedures of the Council, specifically;

- Disability Discrimination Guidance Notes

- Disciplinary Procedure, Rules and Guidance Notes

- Equal Opportunities Policy and Practice Document

- Harassment Policy, Procedure and Guidelines

- Personnel Information Bulletin - Local Government and Housing Act 1989.

- Recruitment Selection Code of Practice

- Smoking at Work Policy

- Statement of Safety Policy

- Training and Development Policy

Standing Orders and Terms of Reference

Terms and Conditions of Service

Whistleblowing Procedure