

**Wiltshire Council
Constitution
Part 15
Wiltshire Council Human
Resources Code of Conduct
Policy and Procedure**

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REVISED VERSION

PART 15

WILTSHIRE COUNCIL HUMAN RESOURCES CODE OF CONDUCT POLICY AND PROCEDURE

This policy can be made available in other languages and formats such as large print and audio on [request](#).

1. What is it?

1.1 Wiltshire Council's Code of Conduct:

- 1.1.1 sets out minimum standards of behaviour for employees;
- 1.1.2 provides guidelines to help maintain and improve standard;
- 1.1.3 aims to protect the reputation of both employees and the council.

1.2 This Code of Conduct is not exhaustive and does not replace the general requirements of the law, common sense and good conduct.

1.3 Go straight to the section:

- 1.3.1 [Who does it apply to](#)
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2. Who does it apply to?

2.1 This policy applies to all Wiltshire Council employees unless a separate contractual policy applies to a transferred employee to whom separate TUPE terms and conditions of employment apply.

2.2 This policy applies to centrally employed teachers but does not apply to teaching and non-teaching staff employed in maintained schools or academies.

3. What is my responsibility?

3.1 You need to:

- 3.1.1 read this policy;
- 3.1.2 ensure you understand it;
- 3.1.3 ask if there are any points that are unclear;
- 3.1.4 use this Code of Conduct, alongside other council policies, to guide you in your role.

3.2 Breach of this Code of Conduct may lead to disciplinary action which could result in dismissal. Please refer to the [disciplinary procedure](#) for more information.

4. What are the main points?

Introduction

- 4.1 The public is entitled to expect the highest standards of behaviour from local government employees.
- 4.2 You represent the council and are trusted to act in a way which promotes the council's interests and protects its reputation.
- 4.3 You are accountable for your actions and should ask your manager for advice if you are not sure of the appropriate action to take.

Behaviour at work

- 4.4 The council has a set of behaviour principles which describe how you are expected, as a minimum, to carry out your work for Wiltshire Council.
- 4.5 Wiltshire Council behaviour principles have been aligned to Nolan's [7 principles of public life](#) which underpin the members Code of Conduct and are the basis of ethical standards for those appointed to public office.
- 4.6 Wiltshire Council behaviour principles are grouped into seven categories:
 - 4.6.1 Honesty and integrity
 - 4.6.2 Accountability and selflessness
 - 4.6.3 Openness
 - 4.6.4 Objectivity and respect
 - 4.6.5 Leadership
 - 4.6.6 Working together
 - 4.6.7 Doing your best
- 4.7 These principles set out how you are expected to behave to support the council's vision and values, and the way you should expect your colleagues and managers to behave.
- 4.8 The Wiltshire Council behaviour principles guidance provides further details and example of acceptable behaviour and conduct in relation to:

- 4.8.1 How we do things
- 4.8.2 How we treat others
- 4.8.3 What we say and how we say it
- 4.8.4 How we can expect to be treated

Interests

- 4.9 Conflicts of interest may occur if a decision of the council could affect you, or close friends and relatives, either positively or negatively.
- 4.10 Interests could include
 - 4.10.1 involvement with businesses which have existing or proposed contracts with the council;
 - 4.10.2 membership of organisations or groups which may oppose council policies;
 - 4.10.3 roles undertaken outside of work (e.g. acting as a school governor, a member of an NHS trust board)
- 4.11 You should ask yourself the question “Would a member of the public think that my family or I would benefit from the connection between my personal interest and my employment with Wiltshire Council?”
- 4.12 If the answer is yes then you must declare the interest using the online form or in writing to the head of governance.
- 4.13 Under section 117 of the Local Government Act 1972 you must disclose any interest in an existing or proposed contract in writing as soon as is reasonably practicable.

Political neutrality

- 4.14 You must not allow your own personal or political opinions to interfere with your work.
- 4.15 When engaged on council business you must not wear or display items (badges, banners etc.) which indicate your support or opposition to any political party.
- 4.16 You must respect the individual rights of all councillors and assist them, regardless of their political group, to carry out their responsibilities. Any advice given should be impartial, objective and helpful.
- 4.17 Under the Local Government & Housing Act 1989 certain employees are in politically restricted posts which restricts their political activities outside of work. These restrictions form part of their contract of employment and post holders receive full details on appointment.

Outside Commitments

- 4.18 Your activities outside of work should not conflict with your duty to the council.

- 4.19 Employees on grade I (spinal point 18) or above must obtain written consent from their executive Director before engaging in any other business or accepting additional employment.
- 4.20 Any additional employment should not conflict with the council's interests or have the potential to bring the council into disrepute.
- 4.21 You may not set up a business, or accept a job with a business, which is in direct competition with the council.
- 4.22 If you work for another organisation you may not act as a messenger between that organisation and the council. Formal channels of communication must be maintained.
- 4.23 Any secondary employment must not be carried out during your contracted council working hours, nor whilst on standby for official call out purposes unless such employment can be undertaken from your home.
- 4.24 It is your responsibility to monitor the number of hours you work and to ensure that you are rested and refreshed and able to carry out your role. On average you should not work more than 48 hours in total each week unless you have opted out of the working time regulations.

Confidentiality

- 4.25 You must take all reasonable steps to ensure that the loss, destruction, inaccuracy or improper disclosure of information does not occur as a result of your actions.
- 4.26 You must not disclose personal or financial information about any other member of staff or service user without the express consent of that individual or authorisation from your corporate Director.
- 4.27 Confidential information, belonging to the council, should not be disclosed to any person not authorised to receive it.
- 4.28 You must not use any information obtained in the course of your employment to cause damage to the council or for personal gain or benefit. Nor should you pass information on to others who may use it in such a way.

Time, facilities and publications

- 4.29 You must spend all of your contracted hours working for the council.
- 4.30 You may not make personal use of the council's property or facilities (stationery, photocopiers, car parks etc.) unless authorised to do so by your manager. Computers and software may only be used in line with the Email, Internet and Computer Use policy and other related policies including the [data protection policy](#), [personal use of social media policy](#) and [acceptable usage policy](#).
- 4.31 You may only use the council telephones to make or receive private calls in exceptional circumstances, and with the permission of your manager.

- 4.32 Any public funds entrusted to you must be used in a responsible and lawful manner.
- 4.33 If you want to publish any material which you have written in connection with your duties or in which you describe yourself as holding a position within the council you must first gain the consent of your executive Director.
- 4.34 If, in the course of your work, you create a copyright work (for example a procedures manual or a software programme); patentable invention; design capable of registration; this would become the property of the council and, if appropriate, you would be required to cooperate in the registration formalities.
- 4.35 You may retain fees for any lectures delivered with the agreement of your executive Director.

Equality

- 4.36 The council is firmly committed to the principles of [equality and diversity](#) and has a positive duty to promote these within the community it serves.
- 4.37 You must treat colleagues, clients and customers with respect, do not discriminate unlawfully against any person and treat members and co-opted members of the authority professionally.
- 4.38 If you have any involvement in making appointments you should ensure that your decisions are based only on the ability of the candidate to undertake the duties of the post. If any applicant is a close personal friend or relative you should not be involved in the appointment process.
- 4.39 You should not be involved in any decisions relating to discipline, pay or promotion of close personal friends or relatives.
- 4.40 For further details see [personal relationships at work and other related matters policy](#).

Gifts, Hospitality and Sponsorship

- 4.41 You must not accept any fee or reward for work done other than your pay and allowances as set out in your contract of employment except as set out in paragraphs 37 and 38 below.
- 4.42 It is an offence under the Prevention of Corruption Acts to accept gifts, loans, fees or rewards as an inducement to act in a certain way in your official capacity.
- 4.43 You may accept small items (e.g. inexpensive pens, diaries, flowers, chocolates) but they must be registered.
- 4.44 You may only accept an offer of a more significant gift (as a guide worth more than £25) or hospitality (e.g. visits, meals, sporting events etc.) if there is a genuine need to do so in order to represent the council in the community.

- 4.45 Gifts, benefits and hospitality offered to you or members of your family as a consequence of your employment must be declared using the [online form](#) or in writing to your manager whether accepted or not.
- 4.46 You should never accept significant gifts or hospitality from service users, actual or potential contractors or outside suppliers.
- 4.47 If an external organisation wishes, or is sought, to sponsor a council activity the rules concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors. Your executive Director must be involved in any decision.
- 4.48 Where the council wishes to sponsor an event or service no employee or member of their family must benefit unless full disclosure of interest has been made to the relevant executive Director. All sponsorship must be recorded.

Uniform and PPE

- 4.49 Uniforms are provided for some employees and these should be worn unless otherwise agreed with the Director.
- 4.50 Suitable personal protective equipment will be issued and must be worn where a risk assessment indicates it is appropriate.

Speaking to the media

- 4.51 Approaches from all national press, radio or TV stations or specialist press should be directed to the media relations team who will discuss the nature of the story and then contact the appropriate officer or member asking them to respond.

Misconduct

- 4.52 Employees should conduct themselves in a professional manner at work. Serious misconduct and/or criminal offences committed during or outside of working hours which bring you or the council into disrepute may be the subject of [disciplinary action](#) which could lead to dismissal.
- 4.53 If you display continued poor behaviour or conduct at work your manager may choose to address this with you via one of the following policies:
 - 4.53.1 [dignity at work](#) (if you are the subject of a complaint by another employee)
 - 4.53.2 [improving work performance](#)
 - 4.53.3 [disciplinary](#)

If you experience poor behaviour

- 4.54 If you experience poor or inappropriate behaviour or conduct at work, you may address this via the following policies:
 - 4.54.1 [dignity at work](#)
 - 4.54.2 [grievance](#)

Mental health, drugs and alcohol issues

4.55 Remember that someone's inappropriate behaviour or conduct may be the result of a mental health issue. Poor behaviour should be investigated for any links with a mental health issue. It may be helpful to refer to guidance on [Mental Health Awareness](#)

4.56 You may experience inappropriate behaviour or conduct at work due to someone's use of alcohol, drugs or other substances. Someone's use of substances can also be linked to a mental health issue – it may be helpful to refer to [guidance for managers – misuse of drugs, alcohol or other substances](#).

5. Are there any exemptions?

5.1 No – however some parts of the Code of Conduct will have more of an effect on senior, managerial and professional employees than others.

5.2 Many employees are responsible under their own professional Codes of Conduct. In cases where professional codes of conduct appear to conflict with the council's own Code advice should be obtained from your Director.

6. Roles and responsibilities

6.1 Employee responsibilities:

6.1.1 To read this policy together with the [Wiltshire Council behaviour principles guidance](#) and to ensure you understand the minimum conduct expected within the Council and discuss anything you are unsure of with your manager.

6.1.2 To read and understand the key HR policies referred to in this policy.

6.2 Line manager responsibilities:

6.2.1 To provide additional advice and guidance on any points within the Code of Conduct. You should be aware that some employees with protected characteristics may require additional support with understanding the code including potentially staff from different cultures, certain disabilities and other protected characteristics.

6.2.2 To signpost employees to relevant policies, documents and guidelines including [Wiltshire Council behaviour principles guidance](#).

6.2.3 To address any incidents where employees are consistently not behaving in an appropriate way, via the relevant policy.

6.2.4 To investigate whether a mental health or disability issue may be affecting the employee's behaviour at work and to put measures in place to support the employee with this.

6.3 HR responsibilities:

6.3.1 To provide guidance on this policy.

6.3.2 To support managers with any training required.

7. Further advice and information

7.1 There are a number of related documents and policies which you should be aware of:

- 7.1.1 [Wiltshire Council Constitution](#)
- 7.1.2 [Media relations protocol](#)
- 7.1.3 [Data protection policy](#)
- 7.1.4 [Personal use of social media policy](#)
- 7.1.5 [Personal relationships at work and related matters](#)
- 7.1.6 [Dignity at work policy](#)
- 7.1.7 [Equality and diversity policy](#)
- 7.1.8 [Disciplinary procedure](#)
- 7.1.9 [Wiltshire Council behaviour principles guidance](#)

7.2 For further information please speak to your manager, Director or contact a member of the [HR advisory team](#).