

## AGENDA

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**Meeting:** STAFFING POLICY COMMITTEE  
**Place:** Orkney Room, 2nd Floor, County Hall East Wing, Trowbridge  
**Date:** Wednesday 11 January 2012  
**Time:** 10.30 am

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Please direct any enquiries on this Agenda to Roger Bishton, of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email [roger.bishton@wiltshire.gov.uk](mailto:roger.bishton@wiltshire.gov.uk)

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This Agenda and all the documents referred to within it are available on the Council's website at [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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### Membership:

Cllr Allison Bucknell  
Cllr Rod Eaton  
Cllr Mike Hewitt  
Cllr Jon Hubbard  
Cllr Francis Morland

Cllr John Noeken  
Cllr Mark Packard  
Cllr Jane Scott OBE  
Cllr John Smale

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### Substitutes:

Cllr Rosemary Brown  
Cllr Chris Caswill  
Cllr Ernie Clark  
Cllr Mary Douglas  
Cllr Malcolm Hewson

Cllr George Jeans  
Cllr Bill Moss  
Cllr Christopher Newbury  
Cllr Jonathon Seed

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## **PART I**

### **Items to be considered while the meeting is open to the public**

1. **Apologies for absence**

2. **Minutes of Previous Meeting** *(Pages 1 - 6)*

To confirm the minutes of the meeting held on 23 November 2011. (Copy attached)

3. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests or dispensations granted by the Standards Committee.

4. **Chairman's Announcements**

5. **Public Participation**

The Council welcomes contributions from members of the public.

#### Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named on the front of the agenda for any further clarification.

#### Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of the agenda no later than 5pm on **Wednesday 4 January 2012**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6. **Some Other Substantial Reason Dismissal Policy and Procedure** (Pages 7 - 16)

A report by the Service Director HR & OD is attached.

7. **Personal Relationships at Work and Related Matters Policy and Procedure** (Pages 17 - 32)

A report by the Service Director HR & OD is attached.

8. **The Behaviours Framework: Embedding the Framework in Current HR Policies** (Pages 33 - 44)

A report by the Service Director HR & OD is attached.

9. **Acceptable Usage Policy for Email, Internet and Computer Use** (Pages 45 - 52)

A report by the Service Director HR & OD is attached.

10. **Senior Officers Employment Sub-Committee** (Pages 53 - 56)

The minutes of the Senior Officers Employment Sub-Committee held on 25 November 2011 are attached for information only.

11. **Date of Next Meeting**

To note that the next meeting is scheduled to be held on Wednesday 7 March 2012.

12. **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be considered as a matter of urgency. Urgent items of a confidential nature may be considered under Part II of this agenda.

**PART II**

**Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed**

**None**



## **STAFFING POLICY COMMITTEE**

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### **DRAFT MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 23 NOVEMBER 2011 AT ORKNEY ROOM, 2ND FLOOR, COUNTY HALL EAST WING, TROWBRIDGE.**

#### **Present:**

Cllr Allison Bucknell (Chairman), Cllr Rod Eaton, Cllr Mike Hewitt (Vice Chairman), Cllr Jon Hubbard, Cllr Francis Morland, Cllr John Noeken, Cllr Mark Packard, Cllr Jane Scott OBE and Cllr John Smale

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#### **86. Apologies for absence**

There were no apologies for absence.

#### **87. Minutes of Previous Meeting**

##### **Resolved:**

**To confirm and sign the minutes of the Committee meeting held on 21 September 2011.**

#### **88. Declarations of Interest**

There were no declarations of interest.

#### **89. Chairman's Announcements**

The Committee was informed that, although discussions were ongoing at national level, it was expected that local government workers, including teaching and non teaching staff in schools and colleges, would take industrial action on Wednesday 30 November 2011 in opposition to the Government's proposals concerning the Local Government Pension Scheme, England and Wales.

An explanation was given of the contingency plans the Council had in place to minimise the disruption of services particularly to the vulnerable and infirm members of society. The Chairman requested that the Committee's thanks and appreciation be conveyed to those members of staff who were working to minimise the effects of the potential strike action.

90. **Public Participation**

There were no members of the public present or councillors' questions.

91. **Travel Expenses Policy**

The Chairman reported that the item had been withdrawn from the agenda due to the very recent receipt of advice from the Inland Revenue which required consideration by the officers. It was anticipated that a revised report would be ready for consideration at the next meeting of this Committee.

92. **Smoking Policy & Procedure**

Consideration was given to a report by the Service Director HR & OD which sought approval to the harmonisation of five smoking policies which had been implemented prior reorganisation in April 2009.

**Resolved:**

**To approve the new Smoking Policy and Procedure.**

93. **Moving Home Allowance (New Employee) Policy**

On considering a report by the Service Director HR & OD,

**Resolved:**

**To approve the revised Moving Home Allowance Policy.**

94. **Quarterly Workforce Measures - Delivering the Business Plan**

The Committee received quarterly workforce reports excluding schools for the quarter ended 30 September 2011 concerning:-

Staffing Levels  
Workforce Information  
Sickness Absence

Health and Safety  
Disciplinary and Grievance Cases  
Voluntary Staff Turnover

The report also set out information relating to Workforce Costs and Benchmark Data.

**Resolved:**

**To note the contents of the report and to request information on the take up of support for stress related absences at the next meeting.**

95. **Annual Equality & Diversity Report 2010/11**

Consideration was given to a report by the Service Director, HR & OD which,

- (1) set out workforce and recruitment information for the year relating to 2010/11, and
- (2) identified the actions that Wiltshire Council had and was continuing to take to meet both statutory requirements and the Council's employment commitments under the Equality Act 2010 and subsequent public sector equality duties.

During the following debate, Members of the Committee noted that the highest percentage of leavers was from the under 25 year age band with 33.7% leavers within that category, i.e. 209 out of 620 staff leavers.

**Resolved:**

- (1) **To note the contents of the report.**
- (2) **To request a report for the next meeting setting out a more detailed analysis about leavers under the age of 25 years, giving reasons for these departures, how long staff in this category had been working for the Authority before leaving and what measures were being taken to recruit and retain them.**

96. **Trade Union Recognition Facilities Agreement**

The Committee considered a joint report by the Service Director HR & OD and the Secretary, Wiltshire UNISON which sought a review of the current Trade Union Recognition and Facilities Agreement.

It was noted that in July 2010 this Committee had agreed a revised Trade Union Recognition and Facilities Agreement on the proviso that this be reviewed in 12 months' time. At its meeting on 28 July 2010 this Committee resolved:

*"To request that a systematic recording of approved time off be continued and that a report on this be presented to the Committee in six months' time."*

A report was presented to Staffing Policy Committee on 9 March 2011, with the recommendation that the time recording system remain in place and be reviewed together with the revised Trade Union Recognition and Facilities Agreement in July 2011.

The Committee recognised the valuable work and support to staff carried out by the Trade Unions, and in particular by UNISON, which had led to £9.4 million savings.

**Resolved:**

- a) **To approve the proposed amendments to the Trade Union Recognition and Facilities Agreement.**
- b) **To agree the amended Trade Union Recognition and Facilities Agreement for a further 12 months**

97. **Senior Officers Employment Sub-Committee**

**Resolved:**

**To receive and note the minutes of the Senior Officers Employment Sub-Committee dated 2 November 2011.**

98. **Date of Next Meeting**

**Resolved:**

**To note that the next meeting was due to be held on Wednesday 11 January 2012, starting at 10.30am.**

99. **Urgent Items**

There were no items of urgent business.



100. **Exclusion of the Public**

**Resolved:**

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minute No. 101 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

101. **Local Government Pension Scheme (LGPS) Employer Discretions - Early Retirement on Compassionate Grounds**

On considering a confidential report by the Service Director HR & OD and the Service Director, Adult Care (Operations),

**Resolved:**

To approve the early release of both the member of staff's active and deferred pension benefits on compassionate grounds, as set out in the report.

(Duration of meeting: 10.30 am - 12.15 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail [roger.bishton@wiltshire.gov.uk](mailto:roger.bishton@wiltshire.gov.uk)

Press enquiries to Communications, direct line (01225) 713114/713115

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## WILTSHIRE COUNCIL

### STAFFING POLICY COMMITTEE 11<sup>th</sup> JANUARY 2012

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#### **Some Other Substantial Reason Dismissal Procedure (SOSR)**

##### **Purpose of Report**

1. This report presents the revised some other substantial reason dismissal procedure (SOSR).

##### **Background**

2. The current procedure for dismissal under SOSR states the process to follow but lacks a clear indication of the circumstances when the procedure should be used and the link between the procedure and other policies that have their own processes for dismissal. This revised procedure aims to clarify these circumstances.

##### **Main Considerations for the Council**

3. The procedure has been created and formatted in line with the new HR policy template.
4. The main points of the procedure include:
  - The circumstances when the procedure should take effect.
  - The links between the procedure and other Wiltshire Council procedures that have their own processes for dismissal of an employee.
  - The stages to follow for dismissal of an employee under the some other substantial reason procedure.
5. The procedure also includes clarification regarding HR and line manager roles and responsibilities.

##### **Consultation**

6. The policy was approved by JCC on 21<sup>st</sup> December 2011 following consultation with HR, union representatives and other key stakeholders.

### **Environmental Impact of the Proposal**

7. None

### **Equalities Impact of the Proposal**

8. No negative impacts have been identified.

### **Risk Assessment**

9. None

### **Financial Implications**

10. None.

### **Options considered**

11. None

### **Recommendation**

12. To recommend that Staffing Policy Committee approve the new procedure.

**Barry Pirie  
Service Director  
HR & OD**

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Report Author: Laura Butcher, Human Resources Policy & Reward team

**The following unpublished documents have been relied on in the preparation of this report:** None

## Wiltshire Council Human Resources

### Some Other Substantial Reason Dismissal Policy and Procedure

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

#### What is it?

This policy and procedure details the processes for some other substantial reason for dismissal of an employee which is not covered by a separate Wiltshire Council policy and procedure.

#### Go straight to the section:

- The informal stage
- The formal stage

#### Who does it apply to?

This policy applies to all Wiltshire Council employees (with the exception of teaching and non-teaching staff employed in locally managed schools).

This is a harmonised policy and applies to both Wiltshire Council and ex-district TUPE employees.

In matters that involve chief / statutory officers and deputy chief officers (corporate directors and service directors) these procedures must be read in conjunction with their terms and conditions of employment and [Wiltshire Council's constitution](#).

#### When does it apply?

This policy applies where a dismissal does not fall under another Wiltshire Council policy and procedure but does fall under a fair reason for dismissal under the statutory notification. These include (but are not limited to):

- re-organisation
  - where there are no redundancies and the narrow legal definition of redundancy is not met (redundancy is covered by the [redundancy policy and procedure](#))

- refusal to accept changes to working practices or terms and conditions of employment
- protection from competition
  - where the employee acts in a way that falls short of a breach of duty or there is a situation which creates a potential conflict of interest
- breakdown of trust and confidence
  - where a situation falls short of a gross misconduct and a major breakdown of trust and confidence
- an economic, technical or organisational reason following TUPE transfer in line with TUPE regulations and guidance
- some other substantial reason not specified above
  - where an employee has a prison sentence imposed upon them and falls outside of the disciplinary procedure
  - where the employee's continued employment contravenes a statutory enactment such as a driving ban

The SOSR reasons for dismissal stated above may be considered independently under this procedure or may follow on from another Wiltshire Council policy and procedure that involves dismissal, at the discretion of your manager in conjunction with HR.

### **When does it not apply?**

The Wiltshire Council policies and procedures listed below have their own processes for the dismissal of employees and fall outside of this policy and procedure in the first instance. These policies include

- Appeals policy and procedure
- Disciplinary policy and procedure
- Fixed term contract expiry procedure
- Ill health retirement policy and procedure
- Improving work performance policy and procedure
- Probationary period procedure
- Redundancy policy and procedure
- Sickness absence management policy and procedure

If an investigation has been undertaken in line with another policy or procedure and it has been determined that the SOSR policy and procedure should be used, investigations under the policy or procedure should be suspended and the SOSR policy and procedure followed.

### **What are the main points?**

The informal stage

1. Your manager (following consultation with HR) will meet with you to outline the reasons for your potential dismissal and provide you with all relevant information in relation to your case.
2. In cases where an investigation is required (that is not covered by any other Wiltshire Council policy and procedure) your manager will inform you of the reasons for this and that the outcome of the investigation may lead to dismissal.
3. You will have the opportunity to respond to the intention to dismiss you on an informal basis either in writing or by attending a meeting with your manager.
4. Your manager will outline the timescales for your response to the reasons for your dismissal and arrange for a further meeting if required.
5. Your manager will consider your response to the intention to dismiss you and if appropriate commence the formal consultation process.
6. Your manager will maintain an accurate record of this meeting by using the [template meeting record](#) document.
7. In cases where you are unable to attend the meeting with your manager, they may accept a written submission from you and the meeting will be held in your absence.

#### The formal stage

8. You will be invited to attend a dismissal hearing with your service director (or their nominee) to consider your dismissal.
9. You will be given 10 working days written notice of this meeting and will have the right to be accompanied. Further information on who can accompany you at this meeting can be found in the guidance on the [right to be accompanied](#).
10. Your manager will present the case for the intention to dismiss you outlining the reasons.
11. You will be able to respond in relation to the case to dismiss you.
12. Your service director (or their nominee) will determine whether or not you should be dismissed based upon the evidence.

13. If you are unable to attend the hearing, in some circumstances the service director (or their nominee) may accept a written submission from you and the hearing will be held in your absence.
14. If you are unable to attend the meeting you should inform the service director (or their nominee) responsible for hearing the case as soon as possible. If you are unable to attend due to reasonable circumstances outside of your control, the meeting may be re-arranged.
15. If you are unable to attend the re-arranged meeting, the meeting will be held in your absence.
16. If you do not wish to attend the meeting or do not attend the meeting having made no attempt to inform the service director (or their nominee) of the reasons for this, the meeting will go ahead in your absence.
17. You will be informed of the outcome of the hearing in writing by the service director (or their nominee) responsible for hearing your case within 5 working days of the hearing.
18. If you are dismissed, the outcome letter will set out the reasons for your dismissal, the date of which your employment will terminate, any period of notice and your right of appeal.
19. If you are dismissed, you will be entitled to a notice period in accordance with the terms and conditions of your employment. You may not be required to work some or all of your notice period. This will be determined on a case by case basis and agreed with your manager and HR.
20. Your manager will complete a leaver form and follow the council's [leaver procedures](#).
21. Your service director (or their nominee) responsible for hearing the case may determine on a case by case basis that redeployment (where applicable) may be appropriate. You will be redeployed (where applicable) in line with the redeployment procedures outlined in the [appointments policy and procedure](#). If you fail to engage with this process you will be subject to dismissal.
22. If there are other employees that are involved in the same case (e.g. where a breakdown in relationship has occurred) each case will be heard separately.
23. You have the right of appeal against your dismissal in line with the [appeals policy and procedure](#).



## **Roles and responsibilities**

### Employee responsibilities

24. You have a responsibility to co-operate with the stages within this policy and procedure and to engage with the procedure at all times.
25. To make every effort to attend meetings set up under this policy and procedure and to notify your manager if you are unable to attend and the reasons for this.

### Line manager responsibilities

26. To apply this policy and procedure in a fair and consistent way following advice from HR.
27. To liaise with HR at all key stages or where you need clarification to ensure consistency of application.
28. To understand and manage this policy and procedure and ensure that the processes are clearly communicated to the employee.

### HR responsibilities

29. To provide advice and guidance on this policy and procedure to managers as required.
30. To attend a dismissal hearing (where appropriate) to advise on procedure.

## **Frequently asked questions**

31. I am facing dismissal from my post. Can I be redeployed into another post within the council?

The service director (or their nominee) responsible for hearing your case will determine whether redeployment may be appropriate and will be considered on a case by case basis. If appropriate, you will be redeployed in line with the redeployment procedures outlined in the [appointments policy and procedure](#).

32. I do not accept my dismissal. What options are available to me?

You have the right of appeal against your dismissal in line with the [appeals policy and procedure](#).

33. I am facing dismissal due to a breakdown in the employment relationship which involves my line manager. Who will be responsible for managing my case?

If your case involves your line manager, the process will be managed by an alternative manager.

### **Equal Opportunities**

This policy has been [Equality Impact Assessed](#) to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

Managers will make any necessary adjustments to ensure that all employees are treated fairly.

### **Advice and guidance**

If you require help in accessing or understanding this procedure you should contact your line manager or trade union representative if you are a member.

If, due to the nature of your query, it is not appropriate to contact your line manager you should contact your head of service who will nominate an appropriate manager or colleague to help you.

See [guidance for managers – giving advice on policies](#).

### **Further information**

There are a number of related policies and procedures that you should be aware of including:

[Dignity at work policy and procedure](#)  
[Equality and diversity policy and procedure](#)  
[Guidance for managers on holding meetings](#)

For further information please speak to your supervisor, manager, service director or contact your HR advisor.

|                     |                                  |
|---------------------|----------------------------------|
| Policy author       | HR Policy and Reward Team – (LB) |
| Policy implemented  | DD-MM-YYYY                       |
| Policy last updated | 21-12-2011                       |

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## WILTSHIRE COUNCIL

### STAFFING POLICY COMMITTEE

11 January 2011

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#### **PERSONAL RELATIONSHIPS AT WORK AND RELATED MATTERS POLICY AND PROCEDURE**

##### **Purpose of Report**

1. This report presents the revised personal relationships at work and related matters policy and procedure, which updates the existing relatives/relationships in work policy and is in line with the Equality Act 2010, with the aim of having it approved by this committee.

##### **Background**

1. The current relatives/relationships in work policy on HR direct was last revised in 2008. In terms of the ex-district councils, West Wilts and Kennet District both had policy statements which restricted the appointment of relatives or those with close personal ties (in West Wilts only) being in a position of authority over each other. Although the majority of ex district staff are now harmonised on to Wiltshire terms and conditions it is proposed that this new personal relationship at work and related matters policy and procedures should apply to all employees as a harmonised policy.
2. As a harmonised policy and procedure it applies to all Wiltshire Council employees and prospective employees (job applicants) except for teaching and non-teaching staff employed in locally managed schools.
3. The policy and procedure sets out Wiltshire Council's approach to close relationships at work and related matters which is in line with the Equality Act 2010 and aims to assist managers work sensitively with employees and job applicants to identify and resolve potential conflicts of interest which may arise as a result of a close personal relationship at work. The policy is closely linked to the recruitment policy.
4. The aim of this review was also to:
  - maintain consistency of approach by adopting the standard policy format;
  - make the procedure clearer and easier to follow
  - ensure the content is up to date and fit for purpose.

##### **Main Considerations for the Council**

5. In amending the policy and procedure key stakeholders were consulted including the operational human resources teams, legal, the stakeholder panel and the unions.
6. The main changes to the personal relationships at work and related matters policy and procedure are:
  - the policy and procedure has been updated in line with the Equality Act 2010.

- there is information about assessing risks when employees are in a close personal relationships where there is a line management/supervisory relationship or where employees work in the same team or across functions or where issues arise as a result of a relationship breakdown.
  - roles and responsibilities have been clarified.
7. It is proposed that there will be some guidance notes to accompany the policy and procedure.

### **Environmental Impact of the Proposal**

8. None.

### **Equalities Impact of the Proposal**

9. An Equalities Impact Assessment was undertaken on 8 November 2011 and no negative impacts were identified.

### **Risk Assessment**

10. None

### **Options Considered**

11. None.

### **Recommendation**

12. To recommend approval of the personal relationships at work and related matters policy and procedure.

**Barry Pirie**  
**Service Director**  
**HR & OD**

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Report Author: Catherine Coombs, Human Resources Policy & Reward team

**The following unpublished documents have been relied on in the preparation of this Report: None**

## Draft

# Wiltshire Council Human Resources

## Personal Relationships at Work and related matters Policy and Procedure

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

### What is it?

This policy and procedure sets out Wiltshire Council's approach and expectations regarding close personal relationships at work and aims to assist managers to work sensitively with employees and job applicants to identify and resolve potential conflicts of interest which may arise as a result of a close personal relationship at work.

The policy also covers the issue of bringing pets and children in to the workplace.

This policy and procedure is linked to expectations and standards of behaviour for local government employees set out in the council's [code of conduct](#) and the [council's financial regulations](#) regarding close personal relationships and financial transactions.

### Go straight to the section:

- [Who does it apply to?](#)
- [When does the policy apply/when does it not apply?](#)
- [What are the main points?](#)
- [Definition of close personal relationship](#)
- [Appointment of employees and contractors](#)
- [The recruitment and selection process](#)
- [Appointment to posts where there is a line management responsibility](#)
- [Appointment to posts where there is no line management responsibility](#)
- [Close personal relationships which already exist](#)
- [Existing relationships where a line manager responsibility is involved](#)
- [Existing relationships where no line manager responsibility is involved](#)
- [Where a relationship breaks down](#)
- [Provision of references](#)
- [Where other colleagues feel affected by a close personal relationship](#)
- [The provision of work experience/placements and apprenticeships](#)
- [Bringing children in to the workplace](#)
- [Bringing pets into the workplace](#)

- [Roles and responsibilities](#)
- [Frequently asked questions](#)

### **Who does it apply to?**

This policy applies to all Wiltshire Council employees and job applicants (with the exception of teaching and non-teaching staff employed in locally managed schools).

The expectations in relation to standards of behaviour and the resolution of potential conflict of interests relating to close personal relationships at work also extends to cover relationships with contractors, sub-contractors, consultants, staff seconded from other organisations, agency workers, volunteers and work experience placements or those tendering for work with the council etc

This is a harmonised policy and applies to both Wiltshire Council and TUPE employees.

### **When does it apply?**

This policy applies during the recruitment process and throughout employment.

### **When does it not apply?**

There are no exemptions under this policy and procedure.

### **What are the main points?**

1. It is recognised that there will inevitably be close personal relationships at work (see definitions section below) including those that already exist and those that develop during the course of employment/work with the council. Whilst not all such situations raise issues of conflict of interest, this is not always the case (see [code of conduct](#) for further information relating to 'interests').
2. If you are in a close personal relationship with someone at work the provisions of this policy and procedure are intended to assist you and your manager to identify and take action to avoid any possible conflict of interest, perception or accusation of bias, favouritism or prejudice or potential breach of confidentiality which may arise as a result of your personal relationship at work.
3. It is also intended to ensure that other employees feel confident of receiving fair treatment without the fear that a close personal



relationship will influence their or other employees' treatment or broader working relationships.

4. If you are in a close personal relationship and one of you has a line management/supervisory responsibility for the other or you work within a team or across a function with each other you may be particularly affected by these types of potential accusations and conflicts of interest.
5. The provisions of this policy should also allow the effective management of those occasions when close personal relationships are breaking down, or end, so allowing both parties to maintain a professional working relationship with each other.
6. All employees are expected to behave in a professional manner appropriate to their role. You are expected to comply with the code of conduct, the council's financial regulations and the behaviours framework policy and procedure. If you are involved in a close personal relationship at work you will need to ensure that you comply with these requirements at all times in relation to your behaviour towards each other in the work environment.
7. All references to line managers also include those with supervisory responsibilities.

#### **Definition of close personal relationship**

8. For the purpose of this policy the definition of a close personal relationship includes but is not exclusive to:
  - married/civil partnership/co-habiting
  - sexual/romantic partner
  - children, parents, siblings, grandparents, grandchildren, aunts, uncles, nieces, nephews and cousins (blood relative/relative in law/step relationship)
  - close personal friend
9. All employees are expected to exercise judgement as to whether or not the friendship or relationship has developed to such an extent that it can be described as a close personal relationship which potentially raises the type of difficulties, accusations or conflict of interest that this policy and procedure seeks to address.
10. Failure to declare such a close personal relationship, which leads or could potentially lead to a conflict of interest situation could result in disciplinary action for the employees concerned. Declarations should be made in writing to your manager or appropriate senior manager.

## **Appointment of employees and contractors**

The recruitment and selection process

11. The council has a clear [equality and diversity policy and procedure](#) and all appointments of employees, awarding of contracts for work with the council (including contractors, consultants, agency employees) and work experience etc must be made in accordance with council policy and based on merit to avoid direct and indirect discrimination and accusations of bias.
12. If you are applying for a vacancy with the council you will be asked on the application form whether you are related to or have a close personal relationship with any elected councillors or employees of Wiltshire Council.
13. Managers and other employees/contractors responsible for recruitment and selection (no matter how short-term) must:
  - declare (to their manager or appropriate senior manager) if they are in a close personal relationship with any of the candidates as soon as they are aware that they have been shortlisted.
  - not be involved in any stage of the recruitment process
14. Managers and other employees/contractors involved in the recruitment and selection process, who have concerns that other relationships not listed in the definitions may impact on their ability to sit on a selection panel, should raise this matter with their line manager.
15. These provisions also apply to the appointments under the [Apprenticeship Scheme](#).
16. Deliberate omission to make such a disclosure on an application could disqualify you as a candidate or contractor for appointment and if the omission is discovered after appointment you may face disciplinary action.

### **Appointments where there is a line management responsibility and a close personal relationship**

17. If you apply for a role and you are in a close personal relationship with someone who you would line manage or be managed by, if you were appointed to the role, careful consideration will need to be given to your application by the recruitment and selection panel as set out below.
18. Your interview will involve an exploration of the potential impact of the relationship including the possibility of conflict of interests,

confidentiality issues, vulnerability to accusations or other operational difficulties including the potential need to make alternative supervision/line management arrangements (please see para. 29 and guidance).

19. Following this discussion, you may be offered the post where the panel is satisfied:
  - that the impact will be minimal or
  - you have demonstrated sufficient awareness of potential difficulties and
  - that effective steps can be taken to mitigate any potential conflicts or risks and
  - they wish to pursue an appointment as in all other respects you are the person they wish to appoint.
20. The panel should seek agreement with the line manager (who will not have been part of the interview process) and the appropriate service director prior to confirming the appointment.
21. Where steps have been identified at the interview to mitigate any potential conflicts or risks these steps should be followed up and action taken by the line manager or where appropriate the line manager's manager. This could include, where appropriate, discussions with the team where they are affected by the impact and this approach has been discussed and agreed with you. A note of the discussion and actions connected to this should be placed on your personal file.

**Appointments where there is no line management responsibility and a close personal relationship**

22. If you are appointed, transferred or promoted to work in a team, department or work cross function with another employee, contractor who you have a close personal relationship with as defined in this policy, but not in a line management relationship, this should also be declared on your application form.
23. This should be discussed as part of the selection process to determine whether potential conflicts of interest, confidentiality issues or vulnerability to accusations which this policy seeks to address could arise and if so what action or measures should be taken, if any to resolve these (see guidance).
24. The panel should seek agreement with the appropriate service director prior to confirming the appointment.

25. If you are appointed and steps have been identified at the interview to mitigate any potential conflicts or risks these steps should be followed up and action taken by the line manager. Where appropriate, this could include discussions with the team where they are affected by the impact and this approach has been discussed and agreed with you. The relationship will be noted on your personal file.

**Close personal relationships which already exist or which develop during the course of employment**

Existing relationships where a line manager responsibility is involved

26. It is recognised that there will be some existing team situations where you might be managed/supervised by someone who you are in a close personal relationship or alternatively a close personal relationship may have formed since your appointment.
27. Ideally you should not be line managed by an employee or contractor who you are in a close personal relationship with as defined in this policy and where possible this should be avoided but full consideration should be given on a case by case basis as set out below.
28. If you are in a close personal relationship with your line manager you should declare this to your line manager's manager who will arrange to meet with you to discuss the implications of the close personal relationship on your work. The discussion should focus on whether there are any potential conflicts of interest, confidentiality issues or vulnerability to accusations which this policy seeks to address which could arise and if so what action or measures should be taken, if any to resolve these (see guidance).
29. Line managers who are in a close personal relationship with an employee or contractor who they line manage are also responsible for making a declaration to their head of service who will arrange to meet with them to discuss potential conflict of interest issues etc as outlined above.
30. If you are being line managed by someone who you are in a close personal relationship with they should not be involved in any decisions relating to your:
- pay, pay adjustments including expenses or allowances
  - working hours
  - changes to job role
  - recruitment or promotion
  - holiday requests
  - grievance
  - disciplinary

- appraisal
31. Other employees/contractors who also have an involvement with aspects of the matters above should also declare if they are in a close personal relationship with you (as above) and remove themselves from any discussions/correspondence relating to these matters.
  32. Your head of service should seek to make alternative line management arrangements in terms of these duties and any others which have been identified as a potential source of concern. Alternatively it may be possible to relocate one or both of the parties following individual consultation with both parties concerned and with their agreement. There is an expectation that employees will fully co-operate with efforts to establish alternative arrangements.
  33. The relationship and any outcomes of meetings will be recorded on the relevant personal file.

#### Existing relationships where there is no line manager relationship involved

34. If you are in a close personal relationship with another employee, contractor which has developed since your appointment and you work in a team establishment or cross function, this should be declared at the earliest opportunity, in writing, by both parties to the appropriate line managers.
35. Your manager should work with you to identify any potential risks or conflicts of interest within team or across teams (using the guidance attached) and where possible an agreement will be reached on how any risks will be managed. If there is a potential risk which could affect the operation of the team or service then after consultation the following actions may be taken:
  - a change of duties of one or both of the parties
  - a change of shift pattern to ensure working together is kept to a minimum
  - redeployment/relocation
36. The relationship and any outcomes of meetings will be recorded on the relevant personal file.

#### **Where a relationship breaks down**

37. If you are in a close personal relationship and work together within the same team, department or across function and that relationship breaks down or ends, you should declare this to your manager or if the relationship involves the team manager the next senior manager in the

structure. Your manager will meet with you to discuss the potential impact on team relationships and service delivery.

38. Where it is envisaged that the breakdown of the relationship could or will cause ongoing negative workplace issues your manager will work sensitively with you to try and resolve these. Where appropriate this could involve external [mediation](#). Appropriate support may also be sought through the [well-being helpline](#).
39. Where resolution is not achieved and the breakdown of the relationship becomes untenable and/or has an impact on team members or the delivery of the service your manager should consult their HR advisor.

### **Provision of references**

40. Please refer to the [guidance on the provision of references](#) under the recruitment policy and procedure.

### **Where other colleagues feel affected by a close personal relationship**

41. If you feel that you are being negatively affected by a close personal relationship at work involving your colleagues you should raise your concerns with either your line manager or if the issue concerns your line manager the next senior manager in the structure. Where the situation is not resolved you should raise a grievance following the council's [grievance policy and procedure](#).

### **The provision of work experience/placements**

42. If you are applying for work experience/placements, recruitment should operate through the proper [work experience](#) channels.
43. Where a request for work experience or a placement is made to an employee directly, they should refer the request to their line manager or to HR under the work experience arrangements.
44. The provisions relating to appointments and line management set out in this policy and procedure will apply.

### **Bringing children in to the workplace**

45. It is your responsibility to ensure that adequate childcare arrangements are in place whilst you are engaged in working activities. However, the council recognises that there may be occasions when child care arrangements fail and you may have to bring your child into work in order to cancel prior engagements or make any necessary hand-over of work. It is not acceptable to bring your child to work with the intention of continuing your normal work.

46. Children who accompany you on a brief visit to council premises do not present an issue unless they are exposed to health and safety risks in that particular environment. In cases where your child does accompany you to work, you must accept responsibility for the welfare of your child and minimise disruption to the normal flow of work.

### **Bringing pets into the workplace**

47. You are not allowed to bring animals (apart from assistance dogs e.g. for a sight impairment) into council workplaces, including council vehicles.

### **Roles and responsibilities**

#### Employee responsibilities

48. To comply with the standards and expectations of behaviour for employees as set out in the council's [code of conduct](#), the council's [financial regulations](#), the council's behaviour framework policy and procedure and this policy.
49. In accordance with these policies to ensure that any close personal relationship at work does not conflict, interfere with or prejudice your employment or professional responsibilities.
50. To comply with the requirements of the Data Protection Act and ensure that you do not disclose confidential information connected with working for the council with someone you are in a close personal relationship with.
51. To declare any personal relationship as set out in this policy and procedure to your manager or appropriate senior manager immediately. A failure to do so may lead to disciplinary action.
52. To attend any meetings and work positively with your line manager or other senior manager to identify any potential risks or conflicts of interest which may occur as a result of a close personal relationship at work.
53. To co-operate fully in implementing any actions which arise out of these discussions.

#### Line manager responsibilities

54. In addition to the above line managers are also required to:

55. Implement and comply with the principles set out in this policy and procedure.
56. Ensure that employees and contractors are aware of and understand this policy
57. Carry out meetings to assess conflicts of interest or risks attached to declarations made by staff or contractors about close personal relationships at work in accordance with this policy.
58. Implement any action arising from these meetings.
59. Deal promptly, sensitively and confidentially with declarations and to agree with those concerned what information can be shared where possible.
60. Ensure that no discrimination occurs as a result of action taken under this policy and procedure.
61. Record their discussions and ensure that close personal relationships are recorded on personal files.
62. Ensure that information gained through declarations is kept strictly confidential. Personal permission from the employee concerned should be sought prior to sharing this information. (Managers should be particularly mindful that breaches of confidentiality could result in claims of discrimination e.g. outing same sex couples).
63. Seek further advice and guidance from HR over complex issues and institute formal disciplinary action where required.

#### HR responsibilities

64. To provide professional advice and guidance to managers to enable them to make informed management decisions.
65. To promote awareness of this policy and to update the policy where required.
66. To co-ordinate the involvement of any other stakeholders (if necessary) e.g. mediators, other HR advisors or legal.
67. To provide support in complex cases where required

#### **Frequently asked questions**



68. **I have worked in the same team for a number of years and have developed friendships with a number of my colleagues. Would these be considered as close personal relationships under this policy and procedure?**

It is natural that relationships with colleagues at work will develop and it is recognised that people will have differing views as to what makes a relationship a close personal one. The following information is offered as general guidance only. A close personal relationship at work is likely to be more than the usual relationship which develops between colleagues at work which centres around work and work related social activities. It is likely to involve seeing the other person outside of work away from the work context on a close personal friendship basis. In deciding whether a close personal relationship should be declared you should also ask yourself whether you feel that the relationship might play a part in influencing any decisions which you need to take as part of your work or whether you might be vulnerable to accusations from others that the relationship might influence your work decisions particularly in terms of bias or favouritism.

69. **I have developed a close personal relationship with another colleague in my team and we often see each other outside of work as well. I would like to apply for the post of line manager of the team we both work in, is this possible?**

You would need to make a judgement as to whether this relationship has developed to such an extent that it would be described as a close personal relationship that would make you vulnerable within the team or service area to potential accusations and conflicts of interest which this policy seeks to address. If so, you should declare the relationship to your manager in terms of your current role and the role which you would like to apply for.

If you are shortlisted for the post the interview will include an exploration of the potential areas which could cause a conflict of interest, confidentiality issues, vulnerability to accusations or other operational difficulties. The interviewing panel will need to take account of the range of management decisions which may need to be restricted as set out in this policy and the code of practice and whether it is practical to put in place alternative arrangements. If the panel consider that effective steps can be taken to mitigate the risks that have been identified and they wish to pursue your appointment in all other respects it would be possible for you to be appointed to the post.

70. **I have recently formed a romantic relationship with a colleague in another team. We do occasionally need to work together on projects. Do I need to declare this relationship?**

As above, you will need to make the judgement as to whether the relationship has developed to such an extent that it would be described as close personal relationship under this policy and procedure. If so, you should both declare the relationship in writing to your appropriate line manager.

Your manager should meet with you and work with you to identify any potential risks or conflicts of interest. This will depend on a number of factors including the frequency of contact, nature of the work, the roles which you both have and the degree of influence over these and other factors etc. If there are risks or conflicts of interest which require action your manager should where possible agree with you how these will be managed. Where there is a potential risk which could affect the operation of the team or service action may be considered as outlined in this policy and procedure.

71. **My granddaughter would like to undertake some work experience with the council and there is some work in our team that she could undertake. What can I do?**

All requests for work experience must follow the appropriate work experience recruitment process and are subject to the provision of this policy and procedure.

If you are the line manager of the team you would not be able to be involved in the appointment of a relative to a work experience placement in your team and if you wish to pursue a placement for your team you should discuss this with your line manager.

If you are not the line manager of the team you could speak to your line manager to see if they would consider a work experience placement. It will be for the line manager to decide whether a work experience opportunity is appropriate. If they wish to pursue this your manager should inform HR via HR work experience mailbox below. HR will ensure that the correct paperwork is completed and let your manager know if there are other work experience matches for this work.

Your granddaughter will either need to send her request to HR or directly to your manager. Individuals can e-mail enquiries and requests for work experience direct to HR at [workexperience@wiltshire.gov.uk](mailto:workexperience@wiltshire.gov.uk). HR will send out the appropriate work experience request forms.

Prior to confirming a work experience placement for your granddaughter your line manager would need to assess any potential risks associated with the fact that she is in a close personal relationship with you in line with the provisions of this policy.

72. **I recently applied for a post which I was not appointed to. The team is managed by one of my close personal friends and I am unhappy about this because I think the decision was related to my links. What can I do?**

If you are unhappy that you were not appointed to a post and you are not sure of the reasons you should initially seek feedback from the officer responsible for recruitment to this post to seek further clarity. If you remain unhappy you can raise your concern through HR for further guidance.

### **Equal Opportunities**

This policy has been Equality Impact Assessed on 8.11.11 to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

### **Legislation**

[The Equality Act 2010.](#)

This policy has been reviewed by an external legal organisation to ensure compliance with (the above legislation and) our statutory duties.

### **Advice and guidance**

If you require help in accessing or understanding this policy you should contact your line manager or trade union representative if you are a member.

If, due to the nature of your query, it is not appropriate to contact your line manager you should contact your head of service who will nominate an appropriate manager or colleague to help you.

See [guidance for managers – giving advice on policies.](#)

### **Further information**

There are a number of related policies and procedures that you should be aware of including:

- [recruitment](#)
- [code of conduct](#)
- [equality and diversity](#)
- [disability support in the workplace](#)
- [whistleblowing](#)
- [grievance](#)
- [disciplinary](#)
- [dignity at work](#)

There is also a toolkit including manager guidance to use when following this policy and procedure.

For further information please speak to your supervisor, manager, service director or contact your [HR advisor](#).

|                     |                                  |
|---------------------|----------------------------------|
| Policy author       | HR Policy and Reward Team – (CC) |
| Policy implemented  | DD-MM-YYYY                       |
| Policy last updated | DD-MM-YYYY                       |

## WILTSHIRE COUNCIL

Staffing Policy Committee  
11<sup>th</sup> January 2012

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### The Behaviours Framework Embedding the framework in current HR Policies

#### **Purpose of report**

1. The purpose of this item is:
  - To propose a new behaviours framework policy and procedure.
  - To propose updates to some current HR policies in order to 'embed' the behaviours framework within current HR processes and procedures.
  - To seek any comments/observations necessary to enable HR to improve the draft as provided.
  - To agree that Human Resources implements this new policy along with updates to other HR policies from the beginning of February 2012.

#### **Background**

2. A new behaviours framework policy and procedure is being proposed in order to support the newly established behaviours framework.
3. Updates are required to some HR policies and associated documents in order to ensure that processes are carried out in accordance with the behaviours framework.

#### **Main considerations for the Council**

4. The behaviours framework policy and the behaviours framework will be further supported by guidance for managers. The guidance ensures managers understand how to use the framework with their employees, how to set objectives, conduct one to one meetings and appraisals and manage difficult or inappropriate behaviour of an employee, etc, using the behaviours framework.
5. The main updates are as follows:
  - 5.1 A new Behaviours Framework Policy and Procedure.
  - 5.2 An additional guidance document to support managers in the implementation of the new policy.
  - 5.3 Some amendments to current policies including Code of Conduct, Disciplinary, Improving Work Performance, Grievance, Dignity at work, Probationary Periods and Recruitment: in order to embed references to behaviour and the Behaviours Framework in these policies.

Consultation

6. The policy was approved by JCC on 21<sup>st</sup> December 2011 following consultation with HR, union representatives and other key stakeholders.

### **Environmental Impact of the Proposal**

7. None.

### **Risk Assessment**

8. None.

### **Financial Implications**

9. None.

### **Recommendations**

10. The Staffing Policy Committee is invited to agree the new policy and procedure and associated changes as presented.

Barrie Pirie  
Service Director,  
Human Resources and Organisational Development

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Report Author: Melanie Lyng, HR Policy Officer

**The following unpublished documents have been relied on in the preparation of this report:** None

**DRAFT 4 – 06.12.2011**  
**Wiltshire Council Human Resources**

**Behaviours Framework Policy and Procedure**

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

**What is it?**

The Behaviours Framework sets out how the council expects you to behave at work and whilst working. The behaviours are informed by the Council's vision and goals, values, culture and core competencies.

**Go straight to the section:**

- [what is it?](#)
- [who does it apply to?](#)
- [when does it apply?](#)
- [what are the main points?](#)
- [what is the behaviours framework?](#)
- [what are the behaviours?](#)
- [what is meant by behaviour?](#)
- [purpose of the behaviours](#)
- [how the behaviours relate to your employment](#)
- [addressing poor behaviour](#)
- [if you experience poor behaviour](#)
  - [equality and diversity](#)
- [relatives/relationships at work](#)
- [behaviour outside of work](#)
- [roles and responsibilities](#)
- [frequently asked questions](#)
- [definitions](#)
- [equal opportunities](#)
- [legislation](#)
- [advice and guidance](#)
- [toolkit](#)

There is also a [toolkit](#) available containing useful documents.

**Who does it apply to?**

This policy applies to all employees across the Council. It does not apply to employees working in schools and does not apply to centrally managed

teachers. Contractors and other temporary employees working for the council will be required to abide by the principles of the behaviours.

### **When does it apply?**

This policy applies at all times when working for the council.

### **What are the main points?**

What is the behaviours framework?

1. The council has established a set of behaviours which describe how you are expected to carry out your work for Wiltshire Council.
2. These positive behaviours support **how** you carry out your role, as outlined in your [job description](#).
3. The framework also sets out examples of what would not constitute positive or acceptable behaviour.
4. The behaviours are reflected across the council and are identified by the cartoon chameleon character. Where the chameleon is seen, you should be aware that the document will relate in some way to the behaviours framework and the council's values.

What are the behaviours?

5. The behaviours are outlined in detail in the [behaviours framework](#). You should read the framework in conjunction with this policy and with the [behaviours guidance](#). In addition there is additional [guidance for managers to the behaviours framework](#) which provides information on the implementation of the behaviours framework with employees.
6. The six categories into which the behaviours fall are:
  - Excellence
  - Responsibility
  - Working together
  - Leadership
  - Simplicity
  - Trust and respect.
7. The behaviours are further categorised into:
  - Expected behaviours – the required behaviours expected of you now; and



- Desirable behaviours – the required behaviours which you should seek to demonstrate; and
- Aspirational behaviours – the behaviours required of managers and senior positions. They are also the behaviours for employees looking to/wishing to develop.

What is meant by behaviour?

8. Behaviour is about:

- How we do things
- How we treat others
- What we say and how we say it
- How we expect to be treated.

Purpose of the behaviours

9. The behaviours framework ensures you know how you are expected to behave to support the council's vision and values and contribute to the development and maintenance of a positive culture. The behaviours are also those behaviours you can expect from your colleagues and from managers.

### How the behaviours relate to your employment

10. The behaviours framework is embedded within many of the policies on HR direct. You should ensure you are familiar with the following policies in particular:
- [code of conduct](#)
  - [recruitment](#)
  - [probationary periods](#)
  - [appraisals](#)
  - [disciplinary](#)
  - [dignity at work](#)
  - [improving work performance](#)
  - [grievance](#)
  - [equality and diversity](#)
  - [health and safety](#)

Code of conduct

11. The [code of conduct](#) sets out how you are expected to conduct yourself when working and should be read in conjunction with this policy.

Recruitment

12. Candidates will be provided with a [job description](#) when applying for a role with the council and this will be used to assess all candidates against the requirements of the role including the behavioural requirements for the role.
13. The person specification as part of the job description will include the expected behaviours for the role, including those which are critical for successful performance by the role holder.
14. Where you do not understand what is required for successful performance in the role, you should raise this with the recruiting manager.
15. Some interview questions will be targeted specifically at assessing the extent to which the candidate meets the behaviours required for the role. Refer to the [recruitment policy](#) and the [guidance for managers to recruitment](#).

#### Induction and probationary period

16. Once you have joined the council, your manager will hold regular reviews with you during your [probationary period](#).
17. Your manager will review your performance against the behaviours framework with you during the probationary period and explain which elements apply to you, referring to your job description.
18. As a new employee, you will be asked to attend a corporate induction event which includes a review of the council's behaviours framework.

#### One-to-one and supervision meetings

19. It is essential that you display certain behaviours at work in order to perform your role successfully and to support the council's vision, values and culture.
20. Your manager will agree with you in one-to-one or supervision meetings the level to which you currently meet the expected behaviours as defined in the behaviours framework and areas for improvement required by you to achieve the behaviours for your role. Refer to [template – one-to-one/supervision meetings](#).
21. Your manager will agree a plan with you for achievement of the desired behaviours for your role, where you do not currently meet these.

22. It may be that you require additional training or support in order to achieve the behaviours required for successful performance in your role. Refer to [learning and development](#).

#### Appraisals

23. The behaviours framework will be taken into account when your performance at work is reviewed at your six-month or annual appraisal. Refer to [appraisals](#).
24. Your manager will agree with you which behaviours you will need to demonstrate in order to perform successfully in your role during the next agreed review period.

#### Addressing poor behaviour

25. If you display continued poor behaviour at work your manager may choose to address this with you via one of the following policies:
- [dignity at work](#) (if you are the subject of a complaint by another employee)
  - [improving work performance](#)
  - [disciplinary](#)
26. Further advice can be obtained from an HR advisor.

#### If you experience poor behaviour

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

#### Equality and diversity

28. All employees are expected to behave in accordance with the council's set of [equality and diversity](#) policies.
29. If you experience poor behaviour at work related to a protected characteristic, you may address this through the council's [dignity at work policy](#).

#### Relatives/relationships at work

30. Employees should in addition read and become familiar with the council's [relatives/relationships at work policy](#).

#### Behaviour outside of work

31. You are expected to behave in accordance with the expected behaviours whilst at work. You should also remember that you may be representing Wiltshire Council outside of work and must not behave in a way which would bring the council into disrepute. Refer to the [code of conduct](#).

### **Roles and responsibilities**

#### Employee responsibilities

32. To read this policy together with the behaviours framework and to ask your manager how these behaviours relate to you at work.
33. To read and understand the key HR policies referred to in this policy.
34. To work towards achievement of the desirable and aspirational behaviours outlined in your job description, as appropriate where required and where you do not currently meet these standards, as agreed with your manager.

#### Line manager responsibilities

35. To ensure employees have a completed job description for their role which outlines the behaviours expected and to explain the behavioural requirements to them.
36. To ensure one-to-one meetings happen with employees on a regular basis and that the behaviours framework is discussed and documented in the [template – one-to-one meetings](#).
37. To ensure appraisals are held with employees at least annually and that where appropriate, goals for the coming year include behaviours which the employee is to work towards, within a reasonable period of time.
38. To explain how the behaviours may be linked to work objectives.
39. To support employees in the achievement of behaviours where these are required for the role but are not yet being achieved by the employee.

40. To agree learning and development objectives and/or training, where appropriate, in order to help employees achieve the behaviours required for their role.
41. To address any incidents where employees are consistently not behaving in an appropriate way, via the relevant policy.

#### HR responsibilities

42. To provide guidance on this policy.
43. To support managers with any training required.

#### Frequently asked questions

44. **My manager has given me the job description for my role which details the behaviours required in the role. Where can I find out more information about the behaviours framework?**

You can access more information about the framework on HR Direct here – [behaviours framework](#).

45. **I wish to make a complaint about a colleague's behaviour at work. How do I go about doing this?**

You may address this via the council's [dignity at work policy](#) after having first followed the informal route to try to resolve the matter.

46. **I do not believe the council has the right to tell me how I should behave at work. Does the behaviours framework apply to me?**

The council has established a set of key behavioural principles in order to help create a positive culture and working environment which will be of benefit to all employees as well as in our dealings with clients and the public. These apply to all employees and you are expected to behave in accordance with them throughout your employment.

47. **I am a new employee. How will I know what behaviours are expected of me in my new role?**

The behaviours required for your role will be outlined in your job description. Your manager will hold regular probationary review meetings with you and will explain to you what the behaviours mean and how you are expected to behave at work. You are encouraged to ask questions to understand what is expected of you in your role.

48. **My colleague has complained about my behaviour at work. What will happen next?**

If your colleague complains formally, they may choose to address this through the [dignity at work policy](#). You should read this policy and also the [guidance for employees accused of inappropriate language or behaviour](#). These documents will explain the process which may be followed with you.

## Definitions

Behaviour                                      What you do, how you treat others, how you expect to be treated.

## Equal Opportunities

This policy has been [Equality Impact Assessed](#) to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

Managers will make any necessary adjustments to ensure that all employees are treated fairly. For further information see the [guidance on equal opportunities in relation to the behaviours framework](#).

## Legislation

- [The Equality Act 2010](#)

This policy has been reviewed by an internal legal organisation to ensure compliance with the above legislation and our statutory duties.

## Advice and guidance

If you require help in accessing or understanding this you should contact your line manager or trade union representative if you are a member.

If, due to the nature of your query, it is not appropriate to contact your line manager you should contact your head of service who will nominate an appropriate manager or colleague to help you.

See [guidance for managers – giving advice on policies](#).

There are a number of related policies and procedures that you should be aware of including:

- [disciplinary](#)
- [improving work performance](#)
- [dignity at work](#)
- [grievance](#)
- [probationary periods](#)

- [induction](#)
- [recruitment](#)
- [code of conduct](#)
- [appraisals](#)
- [equality and diversity](#)

For further information please speak to your supervisor, manager, service director or contact your [HR advisor](#).

### Toolkit

- [template – one-to-one meetings](#)
- [the behaviours framework](#)
- [guidance for managers – the behaviours framework](#)
- [guidance for managers – giving advice on policies](#)
- [guidance for employees accused of inappropriate language or behaviour](#)

|                                 |                                 |
|---------------------------------|---------------------------------|
| Policy author                   | HR Policy and Reward Team – MCL |
| Policy last updated/implemented | DRAFT 4 – sent to JCC           |

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## WILTSHIRE COUNCIL

### STAFFING POLICY COMMITTEE

11 January 2012

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#### **Acceptable Usage policy – for email, internet and computer use**

##### **Purpose of Report**

1. This report presents changes to the existing email, internet and computer use policy.

##### **Background**

2. The current email, internet and computer use policy is a contractual policy which all users have to agree to before they can access the Wiltshire Council computer network.
3. Following a recent review of the whole suite of information security policies, Wiltshire Council's information assurance team found that a number of the policies are too long and technical. This is believed to be at least partially responsible for low levels of awareness amongst staff.

##### **Main considerations**

4. The Information Assurance team, with support from the policy team has revised the policy to make it more accessible.
5. The name of the former "email, internet and computer use policy" has been changed to "Acceptable Usage policy – for email, internet and computer use" which is the standard policy title used across large organisations for this type of policy.
6. The policy has been put into the standard HR policy format, is in plain English and appropriate to the audience whilst still containing the key elements required to comply with security standards which we are audited against as a council.
7. The revised policy is much shorter, with specialist technical areas such as networking, firewalls etc. being moved into sub policies which can be accessed by employees who specifically require information about these areas.
8. The information assurance team are reviewing the way in which this policy is communicated to employees.

9. The aim is for the policy to be included in the corporate induction and for employees to be required to complete a short e-learning module (similar to the one currently used for fire/bomb and DSE training) prior to signing up to the policy.

### **Consultation**

10. These policies have been reviewed by key stakeholders including IT, HR na the HR Stakeholder panel
11. The unions agreed this policy via the Joint Consultative Committee on 21 December 2011.

### **Environmental Impact of the Proposal**

12. None

### **Equalities Impact of the Proposal**

13. No negative impacts have been identified.

### **Risk Assessment**

14. None

### **Financial Implications**

15. None

### **Recommendation**

16. To recommend that Staffing Policy Committee approve the changes to the policy and procedure.

**Barry Pirie**  
**Service Director**  
**HR & OD**

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Report Author: Keir Eaton, Information Assurance Team & Paula Marsh, Human Resources Policy & Reward team

**The following unpublished documents have been relied on in the preparation of this report:** None

## Wiltshire Council Information Assurance

### Acceptable Usage Policy for email, internet and computer use

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

#### What is it?

Information, like people, money and tangible assets, is a valuable commodity, and therefore Wiltshire Council takes information security very seriously.

We must and will protect the data we hold relating to members of staff, service users and members of the public, as well as data held for the purpose of providing services to the people and businesses of Wiltshire.

This policy is designed to:

- prevent abuse or misuse of computer, internet and email facilities and paper files;
- to protect users, the council's equipment and the data we hold; and
- to ensure compliance with legislation

This is a high level policy covering basic principles and must be read in conjunction with specific detailed policies if they are relevant to your working practices or system use:

- Information Security Policy
- Protective Marking Policy
- Social Media Policy
- Data Transfer Procedures
- Information Security Incident Reporting Procedures

#### Who does it apply to?

This policy applies to employees, elected members, contractors and third parties who handle any paper or electronic data or are users of any of council's computer systems or equipment.

You must read, understand and formally accept this policy before you can use the council's computer systems and equipment.

You will be asked to re-confirm acceptance annually with updates being sent out throughout the year.

#### Main points

1. ICT equipment, including hardware, software and devices, email and access to the Internet is provided to you to enable you to conduct the council's business.

2. You must make sure that at all times you use this equipment appropriately, securely, for the purpose for which it was issued to you without reconfiguration and in compliance with relevant legislation such as the Computer Misuse Act 1990 and Data Protection Act 1998.
3. Use Wiltshire's ICT systems respectfully and not for inappropriate, offensive or indecent purposes; for example do not create, send or forward email that is offensive, defamatory, harassing, discriminatory, intimidating, which breaches confidentiality or contract requirements, or could be described as unsolicited, such as chain letters, spam or jokes.
4. Keep your passwords secret (do not write them down) and do not share them or your login accounts – if you believe your account or password has been compromised, then please reset your password and inform Information Assurance.
5. Be aware that the council monitors email and internet use

### **Security Incidents**

6. Security incidents include:
  - theft or loss of data or any equipment;
  - transfer/disclosure of sensitive data to those who are not entitled to receive it;
  - compromised passwords;
  - attempt (either failed or successful) to gain unauthorised access to data or systems;
  - connection of equipment that has either not been approved by Information Assurance and/or equipment that is not owned by Wiltshire Council;
  - non-compliance with Wiltshire information security policies and associated procedures including this policy;
  - hacking attempts, virus attacks, phishing etc;
7. If you become aware of a security incident you must follow the procedure outlined in the incident reporting policy [ADD LINK](#).
8. Contact the Information Assurance team and seek advice if you are in any doubt about the correct process or procedure that should be followed;

### **Virus Discovery: -**

You must:

9. Immediately report any virus, or suspected virus incidents to the ICT Helpdesk;
10. Stop using the PC/laptop and disconnect from the network by removing the cable at the back of the machine and/or switching off your wireless connection.
11. Secure all media, USB drives and CDs that have been used on the machine and above all do not attempt to ignore or hide the suspected virus infection.

## Systems Access

You must:

12. Use only your own unique UserID and password. Do not log on as other users.
13. Access only systems or data for which you have both a business requirement and appropriate authorisation.
14. Use Wiltshire Council's systems appropriately and with consideration for others in line with our dignity at work policy.
15. Never allow your user account to be used by anyone else.
16. Never write down or share your password(s) with other users, including IT Help desk staff.
17. Not allow family members or anyone else to use your council equipment when it is in your home.

## Internet Use

18. You should use the Internet primarily for official council business.
19. You must not use council facilities (including work e-mail addresses) for private business or commercial purposes.
20. Occasional and reasonable personal use is permitted (for example during lunch breaks), as long as this does not interfere with the performance of your duties or the work of other staff. Confirm with your line manager if you are in doubt.
21. You must not deliberately visit, view, download or circulate material from any website which is offensive, obscene or indecent in any way e.g. pornographic, sexist, and racist, etc.
22. If you unintentionally access an offensive, obscene or indecent website you must disconnect from the site immediately and inform Information Assurance.
23. Certain websites or categories of websites will be blocked in order to protect the user and/or network e.g. gambling sites or pornographic sites.
24. Personal online banking and credit card usage is conducted at your own risk.
25. You must not post inappropriate material on the Internet. See the [social media and blogging policy](#) for more information.
26. You must not download, install or run unauthorised software (including full products, trial software, games, fonts, shareware, freeware, and screensavers).

## Equipment and Software

27. You must obtain all of your ICT equipment (hardware/software/devices) via the Wiltshire Council ICT unit and only use Wiltshire Council approved and supplied hardware, software and devices.

28. Do not use your own personal IT equipment to store or process Wiltshire Council data; the only exception is if you are using “GOOD” on a Smart Phone.
29. Screen-lock computers if unattended (by pressing the ‘Windows’ + ‘L’ keys simultaneously) and keep laptops and other mobile devices safe.
30. Use only Wiltshire approved and supplied devices, e.g. cameras, secure USB memory sticks (also known as pen drives), printers, mobile phones, etc.
31. Return all ICT equipment to Wiltshire Council ICT unit when it is no longer required, or at the end of your employment.
32. Lock your laptop to the docking station, or store it in a lockable cabinet or drawer when not in use. If you are travelling by car, keep your laptop locked out of sight in the boot, but ensure you do not leave it in there overnight.

#### **Data Creation and Storage: -**

You must:

33. Always save data onto your network server, and not onto your local C: drive. If you are not connected to the network you can temporarily save data to the local C: drive because they have encryption software installed but you must move the data to a network server at the earliest opportunity.
34. Use the protective marking scheme for processing all council data in electronic or hardcopy; see the “INSERT PROTECTIVE MARKING POLICY” for more information.

#### **Email and Other Data Transfer Methods: -**

You must:

35. Only send sensitive or business confidential data to an external agency or person when you have a data sharing protocol with the external party.
36. All external email transfers of sensitive information must be password protected or sent via GCSx email; see the [data transfer procedure](#) for more information.
37. Conform strictly to the council’s data transfer procedures for the movement of large files and information; see the [data sharing procedure](#) for more information.
38. Conform to any department specific procedures for the transfer of data.
39. Not email any council data, whether sensitive or not, to ‘external’ personal email addresses in order to work on it from home, e.g. hotmail, yahoo etc.
40. Not upload any council data to internet storage sites, whether sensitive or not.

41. Not auto-forward emails to any mailboxes unless you have a valid business reason that has been endorsed by Information Assurance - this includes third parties and personal email addresses (hotmail.com etc).
42. Not send email containing personal information outside the European Economic Area (EEA). If in doubt check with the data protection officer;
43. Think before you open emails from unknown external senders or click on suspicious links within emails;
44. Note that in the event of a long absence, sickness and/or a disciplinary or non-compliance issue your manager and other authorised officers will, when necessary, have corporate data forwarded to them from your mailbox; forwarding of such emails will be strictly controlled and logged and the manager will ensure that measures are taken to protect the confidentiality of users' 'personal emails'.
45. Use normal standards of business courtesy when writing emails as with any other communication undertaken on behalf of the council i.e. be courteous, polite and succinct;
46. Consider what you say about other people or organisations; never use aggressive, abusive or deliberately anti-social language and never email hastily in anger;
47. Be aware that legal action may be taken against the council if you send an email which is defamatory or which breaches confidentiality or contract; emails of this kind can be used in litigation or the public's right of access to information under the Data Protection Act 1998 or Freedom of Information Act 2000;
48. Report it to your manager or an HR advisor if you receive an email which you believe to be offensive, defamatory, harassing, discriminatory or intimidating.
49. Adhere to good email practice i.e. regularly delete your old emails, keep distribution lists accurate and up-to-date, and use an 'out-of-office' message if you are going to be out of the office for half a day or longer;
50. Not read other people's emails without their permission; if you receive an email in error, you must not use or disclose any confidential information it contains and you should redirect the message to the correct person;
51. Not create or forward chain letters, spam, jokes or similar unsolicited emails e.g. hoax virus warning messages.

### **Data protection**

You must not:

52. Share personal data about someone without their consent unless it is covered by one of the exemptions in the Data Protection Act 1998. If in doubt check with the data protection officer.
53. Leave sensitive data unattended, either on-screen or on your desk, that may be seen by unauthorised people including paper records or printed information;

### General points

54. Council employees are expected to behave in accordance with the Council's behaviours framework at all times whilst undertaking work for the Council. Further information can be found on HR Direct, from your manager or by contacting an HR advisor.
55. Failure to accept this policy, or if inappropriate use of equipment or data is suspected or discovered, could lead to further investigation.
56. Breach of this policy may lead to disciplinary action which could result in dismissal. Please refer to the disciplinary policy and procedure for more information.
57. Where sanction is necessary with respect to councillors, a complaint may be made against the councillor by an officer under the Member Officer Relations Protocol. This complaint will be heard by the Wiltshire Council Standards Committee as detailed in the Wiltshire Council constitution.
58. No employee will receive less favourable treatment or be disadvantaged by policies, procedures, conditions or requirements which cannot be shown to be justifiable, because they have a protected characteristic. These can include, but are not limited to race, gender, disability, age, sexual orientation, religion or belief, pregnancy and maternity, marriage or civil partnership or gender reassignment

### Employee responsibilities

- You must return any equipment when it is no longer required or your employment ends
- You should inform your line manager if you become aware that this policy is not being adhered to. If this is not appropriate due to the nature of your concern you should contact the Information Assurance team directly.

### Line manager responsibilities

- You should set an example and ensure your staff are adhering to this policy
- ensure all leaver processes for the safe return of equipment are followed if an employee leaves your team

### Further information

If you need any more information or advice, or have comments about this or any other Information Security related policy, then please contact the Information Assurance Team (01225 718863) **add email address** who will be happy to assist.



## **SENIOR OFFICERS' EMPLOYMENT SUB-COMMITTEE**

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### **MINUTES OF THE SENIOR OFFICERS' EMPLOYMENT SUB-COMMITTEE MEETING HELD ON FRIDAY 2 DECEMBER 2011 AT COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE.**

**Present:**

Cllr Mike Hewitt, Cllr Jon Hubbard and Cllr John Noeken

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**9. Election of Chairman**

On being proposed and duly seconded, it was

**Resolved:**

**That Councillor John Noeken be elected Chairman of this meeting.**

**Councillor John Noeken in the Chair**

**10. Minutes**

The minutes of the meeting held on 2<sup>nd</sup> November 2011 were approved as a correct record and signed by the Chairman.

**11. Apologies for Absence**

All members were present.

**12. Declarations of Interest**

There were no declarations of interest.

**13. Chairman's Announcements**

No announcements were made.

14. **Public Participation**

No requests for public participation had been received.

15. **Exclusion of the Press and Public**

**Resolved:**

**That in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minute Number 16 below as it was likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.**

16. **Termination of Employment on Grounds of Redundancy - Corporate Director**

The Chairman presented a confidential report concerning a recommendation to terminate the employment of Mr Mark Boden, the Corporate Director for Neighbourhood and Planning.

This arose from the senior management restructuring approved by Cabinet at its meeting on 6 October 2011 which deleted two posts; the Chief Executive and one Corporate Director. The deletion of both posts would deliver savings of £400,000 per annum.

It was noted that following the selection process, the Officer's Appointments Committee did not appoint Mr Boden to one of the Corporate Director posts. Consequently, Mr Boden was invited to volunteer for redundancy. The Chairman confirmed that Mr Boden had submitted an application for voluntary redundancy within the permitted timescale. Suitable alternative employment options had been explored with the result that no suitable alternative employment was available. The Chairman assured the Sub-Committee that the Council's redundancy policy and procedure for senior officers had been followed.

Details of the redundancy package in accordance with the Council's redundancy policy were presented for the Sub-Committee's information.

The Sub-Committee was therefore asked to approve the termination of Mr Boden's employment on the grounds of redundancy.

**Resolved:**

**That the Senior Officers' Employment Sub-Committee approve the termination of the employment of Mr Mark Boden on the grounds of redundancy with effect from 9 December 2011, subject to consultation with the Leader and Cabinet members in accordance with the Officer Employment Procedure Rules.**

(Duration of meeting: 4.10pm – 4.30pm)

The Officer who has produced these minutes is Yamina Rhouati, of Democratic & Members' Services, direct line 01225 718024,  
e-mail [yamina.rhouati@wiltshire.gov.uk](mailto:yamina.rhouati@wiltshire.gov.uk)

Press enquiries to Communications, direct line (01225) 713114/713115

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