

Part 16

WILTSHIRE COUNCIL HUMAN RESOURCES CODE OF CONDUCT

This policy can be made available in other languages and formats such as large print and audio. Please contact the Human Resources Policy and Strategy team for further information.

What is it?

Wiltshire Council's code of conduct

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

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

Who does it apply to?

This policy applies to all employees of Wiltshire Council except for teachers who have their own code of conduct.

What is my responsibility?

You need to:

- read this policy;
- ensure you understand it;
- ask if there are any points that are unclear;
- use this code of conduct, alongside other council policies, to guide you in

your role. 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.

What are the main points?

Introduction

1. The public is entitled to expect the highest standards of behaviour from local government employees.
2. You represent the council and are trusted to act in a way which promotes the council's interests and protects its reputation.
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.

Interests

4. Conflicts of interest may occur if a decision of the council could affect you, or close friends and relatives, either positively or negatively.
5. Interests could include
 - involvement with businesses which have existing or proposed contracts with the council;
 - membership of organisations or groups which may oppose council policies;
 - roles undertaken outside of work (e.g. acting as a school governor, a member of an NHS trust board)
6. 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?”
7. If the answer is yes then you must declare the interest using the [online form](#) or in writing to the head of governance.
8. 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

9. You must not allow your own personal or political opinions to interfere with your work.
10. 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.
11. 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.
12. 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. Officers must have regard to the Council’s policy on politically restricted posts.

Outside Commitments

13. Your activities outside of work should not conflict with your duty to the council.
14. Employees on grade I (spinal point 28) or above must obtain written consent from their corporate director before engaging in any other business or accepting additional employment.
15. Any additional employment should not conflict with the council’s interests or have the potential to bring the council into disrepute.
16. You may not set up a business, or accept a job with a business, which is in direct competition with the council.
17. 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.

18. 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.
19. 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 timeregulations](#).

Confidentiality

20. 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.
21. 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.
22. Confidential information, belonging to the council, should not be disclosed to any person not authorised to receive it.
23. 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

24. You must spend all of your contracted hours working for the council.
25. 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](#).
26. You may only use the council telephones to make or receive private calls in exceptional circumstances, and with the permission of your manager.
27. Any public funds entrusted to you must be used in a responsible and lawful manner.
28. 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 corporate director.
29. 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
30. You may retain fees for any lectures delivered with the agreement of your corporate director.

Equality

31. 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.
32. 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.
33. 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.
34. You should not be involved in any decisions relating to discipline, pay or promotion of close personal friends or relatives.

Gifts, Hospitality and Sponsorship

35. 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.
36. 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.
37. You may accept small items (e.g. inexpensive pens, diaries, flowers, chocolates) but they must be registered.
38. 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.
39. 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.
40. You should never accept significant gifts or hospitality from service users, actual or potential contractors or outside suppliers.
41. 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 corporate director must be involved in any decision.
42. 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 corporate director. All sponsorship must be recorded.

Uniform/PPE

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

Speaking to the media

45. 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

46. 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.

Are there any exemptions?

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

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 service director.

Line manager responsibilities

You should provide additional advice and guidance on any points within the code of conduct.

You should signpost employees to relevant policies, documents and guidelines.

More Information

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

[Generalprinciplesdocument WiltshireCouncil Constitution OneCouncil,OneCulture–Whatwillwe belike](#) [Mediarelationsprotocol](#) [Whistleblowingpolicy](#) [Internet,EmailandComputerusepolicy](#) [Dataprotectionpolicy](#) [Relatives,relationshipsandrelated mattersintheworkplace](#) [Dignityatworkpolicy](#) [Equalopportunitiespolicy](#) [Equalityand diversity–abriefguide](#) [Disciplinary procedure](#)

For further advice...

For further information please speak to your manager, corporate director or contact a member of your [humanresourcesadvisoryteam](#).

FAQs...

What should I do if I know that someone is breaching this code of conduct?

Often it is those closest to an organisation who realise that there is something wrong. Sometimes people are reluctant to act upon their concerns because they think that they are being disloyal, or because they are afraid that they might be victimised if they speak up.

The council has in place a [whistleblowingpolicy](#) to enable employees to raise concerns in an appropriate manner and to ensure that they do not suffer any detriment as a result of doing so.

Can my partner's business tender for a contract?

The code of conduct does not preclude anyone from having the opportunity to tender for business. However the process must be, and be seen to be, fair open and transparent. To this end you would need to make your manager aware of your interest, take no part in the tendering process and ensure that you do not pass on any information which would give that business any advantage in the process.

Can my relative apply for a job in the council?

Yes. They can apply and would be considered on the basis of their suitability for the role. They should declare their relationship to you on the appropriate section of the application form.

If you are involved in recruiting for the role you should not be involved in any stage of the appointment and should disclose the relationship as soon as you are aware they are applying for the role so that someone else can be assigned to the appointments process.

Can I take an evening job?

Employees on Grade I (spinal point 28) and above must obtain the consent of their corporate director prior to taking on any additional work. Employees below this grade need not seek permission.

In all circumstances employees must remember:

- They should not do work which is in direct competition with the council;
- The work they are doing should not bring the council into disrepute;
- They may not act as a “go-between” between the council and the other business;
- They must not undertake other work when they are on duty for the council, including during standby or call out duties unless the work can be undertaken from home;
- That they are responsible for ensuring they get enough rest and do not exceed working time regulations.

One of my clients bought me a box of chocolates – should I accept them?

Generally gifts which are of low value (under £25) can be accepted. You should be guided by the procedures within your own team and by common sense.

Regardless of whether the gift is accepted or not it must be registered using the [onlineform](#) or alternatively in writing to your manager.

Can I accept discounts because I work for the Council?

Discounts which have been formally agreed and accepted by the council on behalf of their employees can be found on the [StaffBenefits](#) section of the intranet.

Any other discount offered should be treated in the same way as gifts and hospitality and generally should not be accepted.

Can I campaign for a political party outside of work?

If you hold a politically restricted post you may not

- be a candidate for membership of the European Parliament, the House of Commons, or a County or District Council;
- hold office in a political party;
- canvass at elections;
- speak or write in public on party political matters.

You may be a member of a political party but not actively campaign.

If your post is not politically restricted you may campaign on behalf of a political party however when engaged on council business you must remain politically neutral and not allow your personal or political views to interfere with your duties.

What types of interests should be declared?

An interest is anything which could cause a reasonable member of the public, knowing all facts, to think the officer might be influenced when making a decision in the course of their work.

Interests could include:

- Land or property ownership
- Relationships with people involved
- Acting as a school governor
- Involvement with an organisation or pressure group which may oppose a council policy

Individuals are free to take part in activities organised and authorised by the Trade Unions without declaring an interest.

Can I use the photocopier at work to make personal copies?

You should get authorisation from your manager before using any work facilities for personal use.

The code of conduct doesn't cover my specific situation, what should I do?

In the first instance seek advice from your manager. They may refer you to other policies and procedures or refer your query to their service director or human resources advisor.

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