

## **Code of Conduct for Staff**

### **1. Introduction**

- 1.1 The public are entitled to expect the highest standards of conduct from the town council and its staff. Confidence in the integrity of staff will be threatened by any suspicion, whether well-founded or not, that staff may be influenced, in the performance of duties, by improper motives.
- 1.2 This code is closely based upon a model Code of Conduct for Local Government Employees which has been recommended to local authorities by the Local Authority Management Board. It has been adopted by the town council as setting out the standards of conduct expected of its employees.
- 1.3 Whilst it is not in itself a disciplinary code, any failure to follow the standards it sets out may, depending upon the circumstances, constitute misconduct which could lead to disciplinary action, including dismissal.
- 1.4 This code has due regard for upholding the 10 general principles of public life: selflessness, honesty/integrity, objectivity, accountability, openness, leadership, personal judgement, respect for others, duty to uphold the law and stewardship. See appendix A for further details.

### **2. Who is the code aimed at?**

- 2.1 The code applies to all employees of Lyme Regis Town Council.
- 2.2 Inevitably some of the issues it covers will particularly affect the town clerk, deputy town clerk and operations manager. However, the code is intended to cover all employees who have a contract of employment with the town council.

### **3. General Obligations**

- 3.1 Employees should always act with good faith towards the town council's business and should promote its interests. Employees should not do anything adversely to affect the town council's reputation by any means. This includes through the use of websites, social networking, or other social media in and outside of work.

### **4. Standards**

- 4.1 Local government employees are expected to give the highest possible standard of service to the public, and where it is part of their duties, to provide appropriate advice to elected members and to fellow employees with impartiality. Employees will be expected, without fear of recrimination, to bring to the attention of their line manager any deficiency in the provision of service. Employees must report to their

line manager any fraud, corruption or other malpractice, any impropriety or any breach of procedure. If employees find themselves in difficulty in doing this, they should report this to the town clerk.

- 4.2 Lyme Regis Town Council expects high standards of personal conduct from its employees at work and when representing the council externally, who would show courtesy, efficiency, reliability, sobriety and punctuality.

## **5. Disclosure of Information, Confidentiality and Data Protection**

- 5.1 It is generally accepted that open government is best. The law requires that certain types of information must be available to members, auditors, government departments, service users and the public. The town council will generally wish to be open about other types of information too.
- 5.2 However, employees should not disclose personal or financial information about any other person, which they obtain in the course of their duties to the town council, other than in the course of those duties.
- 5.3 Employees should respect the confidentiality of reports which are marked 'Exempt' or 'Confidential', and of any other information which they receive under an obligation of confidence.
- 5.4 Employees should not use any information obtained in the course of their employment for personal gain or benefit. Nor should they pass it on to others who might use it in such a way. Any particular information received by an employee from an elected member which is personal to that member and does not belong to the authority should not be divulged by the employee without the prior approval of that elected member, except where such disclosure is required or sanctioned by the law.

## **6. Political Neutrality**

- 6.1 Employees serve the town council as a whole. It follows that they must serve all elected members and not just those who may constitute a 'controlling group'. Employees must ensure that the individual rights of all members are respected.
- 6.2 Employees should not, in their capacity as county council employees, attend meetings of political groups, unless the occasion has been specifically authorised by the town clerk. They should take care not to compromise their political neutrality.
- 6.3 Some employees occupy posts which are 'politically restricted', under the provisions of the Local Democracy, Economic Development and Construction Act 2009. This will be stated in their contract of employment. These employees are disqualified from membership of a

local authority, other than a parish or community council, and from being an MP or MEP: they are also subject to restrictions in other political activity.

- 6.4 Employees, whether or not politically restricted, must follow every lawful expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work.

## **7. Relationships**

### **7.1 Elected Members**

Employees are responsible to the town council through the town clerk. For some, their role is to give advice to elected members and all are there to carry out the town council's work. Mutual respect between employees and elected members is essential to good local government. Close personal familiarity between employees and elected members can damage the relationship and prove embarrassing to other employees and elected members and should be avoided.

### **7.2 The Local Community and Service Users**

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

### **7.3 Contractors**

7.3.1 All relationships of a business or private nature with external contractors, or potential contractors, should be made known in writing to the town clerk. Orders and contracts must be awarded on merit and in accordance with the town council's Standing Orders and Financial Regulations, normally by fair competition against other tenderers. No special favour in the tendering process should be shown to businesses run by, for example, friends, partners or relatives. No part of the local community should be discriminated against.

7.3.2 Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with a contractor, should declare that relationship in writing to the town clerk.

## **8. Appointment and other Employment Matters**

- 8.1 Employees involved in appointments should ensure that these are made on the basis of merit. It is unlawful for an employee to make an appointment which was based on anything other than the ability of the

candidate to undertake the duties of the post. To avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her.

- 8.2 Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, or with whom they have a close personal relationship outside work.

## **9. Private Work**

- 9.1 Full-time employees may not, without the previous approval of the town clerk, hold any other paid appointment or conduct any paid business. Such approval will be withheld if such work would conflict with or have a detrimental effect on the town council's business. In the case of the town clerk, any request would need to be considered by the Human Resources Committee.
- 9.2 Part-time employees must declare to the town clerk details of any other paid employment or business. Such employment must not conflict with or have a detrimental effect upon the town council's business.
- 9.3 No private work may be undertaken in the town council's time, or on the town council's premises, or on town council's equipment, without the prior written approval of the town clerk.
- 9.4 If in the course of your work with the town council copyright work is created, that work becomes the property of the town council. Similarly, if in the course of an employee's work a patentable invention is created, or a design which is capable of registration is created, then this will also become the property of the town council, and the employee will be required to co-operate in the registration formalities.

## **10. Personal and Conflicts of Interests**

- 10.1 Employees must declare in writing to the town clerk any non-financial interests that they consider could bring about conflict with the authority's interests.
- 10.2 Employees must declare in writing to the town clerk any financial interest which could conflict with or support the authority's interests
- 10.3 Under Section 117 of the Local Government Act of 1972, employees must declare any financial interest which they or their spouse may have in any existing or proposed contract with the town council. Failure to do so is a criminal offence.
- 10.4 Non-financial interests or relationships which could cause potential conflict must also be declared, e.g. acting as a school governor, or

involvement with an organisation or pressure group which may oppose the town council's policies.

- 10.5 Employees should declare to the town clerk membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct. For example, employees should declare in writing to the town clerk membership of freemasonry.

## **11. Equality Issues**

- 11.1 The council promotes fairness and equality for all, operating with professionalism, integrity and openness. Throughout its policies and practice, the council aims to make sure it does not knowingly create an unfair disadvantage for anyone, directly or indirectly. Employees are expected to uphold this principle.
- 11.2 Employees should ensure that policies relating to equality issues as agreed by the council are complied with in addition to the requirements of the law.
- 11.3 All members of the local community, customers and other employees have a right to be treated with fairness and equality.
- 11.4 Employees should ensure that no person or group of people receiving services from, or applying for employment or contracts with the council, will be treated less favourably than any other person or group of people because of their gender, sexual orientation, marital or civil partnership status, race, colour, ethnic or national origin, nationality, religion or belief, political beliefs, disability, age, class, responsibility for dependents, part time or shift workers, unrelated criminal offences, or any other matter which causes a person to be treated with injustice.

## **12. Tendering**

- 12.1 Employees must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- 12.2 Employees who are privy to confidential information on tenders or costs should not disclose that information to any unauthorised party or organisation.
- 12.3 Employees should ensure that no special favour is shown to current or recent former employees or their spouses, close relatives or associates in awarding contracts to businesses run by them or employing them in any capacity.

### **13. Corruption**

- 13.1 Employees must be aware that it is a serious criminal offence for them corruptly to receive or given any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.
- 13.2 Employees should report to the town clerk any corrupt offer that is made to them.
- 13.3 Officers have a duty to raise any issues where they have reason to believe fraud or corruption of any kind is involved. The member or officer should also notify the town clerk who will then advise on notification to any regulatory agency such as the police or external audit in appropriate cases.

### **14. Use of Financial Resources**

- 14.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money for the council, the local community, and any public or charitable funds, and to avoid legal challenge to the authority.
- 14.2 If employees are in charge of funds or resources, they must only use them for the purpose intended in a responsible and lawful manner. Employees should seek to protect such funds and resources from abuse, theft or waste.

### **15. Hospitality**

- 15.1 Employees should not accept offers of hospitality unless there is a genuine need to impart information or represent the town council in the community. Invitations to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the authority should be seen to be represented. They should not be accepted unless first authorised in writing by the town clerk.
- 15.2 When hospitality has to be declined, those making the offer should be courteously but firmly informed of the procedures and standards operating within the town council.
- 15.3 Employees should not accept significant personal gifts from contractors or outside suppliers, although employees may keep insignificant items of token value such as pens, calendars, and diaries, up to a maximum value of £10.

- 15.4 When receiving authorised hospitality, employees should be particularly sensitive as to its timing in relation to decisions which the town council may be taking affecting those providing the hospitality.
- 15.5 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear that the hospitality is corporate rather than personal, and where the town clerk gives consent in advance and where any purchasing decisions are not compromised. Where visits to inspect equipment or other merchandise are required, employees should ensure that the town council meets the cost of such visits so as to avoid jeopardising the integrity of subsequent purchasing decisions.

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

- 16.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
- 16.2 Where the town council wishes to sponsor an event or service, neither an employee nor any spouse, relative or close associate must benefit from such sponsorship in a direct way without there being full written disclosure to the town clerk. Similarly, where the town council through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

## **17. Other Documents**

- 17.1 The town clerk must ensure that employees are aware of the town council's Standing Orders, Financial Regulations and of any other relevant policies and procedures and they should comply with them.

## **18. Generally**

- 18.1 This code cannot cover every eventuality. Its purpose is to identify the standards expected of employees. It does not replace the general requirements in law.
- 18.2 The town council's Code of Conduct for Members contains advice which is also relevant to employees, outlining that it is not enough to avoid actual impropriety. A person should avoid any occasion for suspicion and any appearance of improper conduct.
- 18.3 Any employee who is uncertain as to the conduct expected of them in a particular situation must consult their line manager or the town clerk.

18.4 If an employee becomes aware of any deficiencies in service delivery or procedures or improprieties that breach this code, they should bring it to the attention of the town clerk. If they feel unable to discuss or refer the matter to the town clerk, an employee can discuss the issue with the chairman of the Human Resources Committee or deploy the council's Whistle-Blowing Policy.

## **19. Review**

19.1 This code will be reviewed in July 2020 or sooner if there are changes in legislation or best practice.

**Implementation date:** 21 July 2017

**Review Date:** July 2020

John Wright  
Town clerk  
May 2017



## **Appendix A**

### **The 10 General Principles of Public Life**

#### **1. Selflessness**

Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

#### **2. Honesty and Integrity**

Members should not place themselves on situations where their honesty and integrity may be in question, should not behave improperly, and should on all occasions avoid the appearance of such behaviour.

#### **3. Objectivity**

Member should make decision on merit, including when making appointments awarding contracts, or recommending individuals for rewards or benefits.

#### **4. Accountability**

Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

#### **5. Openness**

Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

#### **6. Personal Judgement**

Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

#### **7. Respect for Others**

Members should promote equality by not discriminating unlawfully, for example against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers, and its other employees.

#### **8. Duty to Uphold the Law**

Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

## **9. Stewardship**

Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

## **10. Leadership**

Members should promote and support these principles by leadership and by example, and should always act in a way that secures or preserves public confidence.