

Hartlepool Borough Council Standards and Partners

Hartlepool Borough Council (“the Authority”) aspires to the highest standards of conduct and governance in the discharge its roles. This affects the conduct of both members of the Authority, and its officers, in their dealings with the Authority, with the public and with others with whom they have contact in the discharge of the functions of the Authority. It also gives rise to an expectation that organisations and individuals upon whom the Authority relies for the provision of services, or in the discharge of contractual arrangements, will reflect relevant principles in their contact with the Authority, its members and officers and members of the general public with whom they come into contact.

This paper is intended, for the information of contractors, external partners and others who have dealings with the Authority, to summarise the principal elements contributing to the attainment of these objectives. Such parties are expected, so far as reasonably practicable and compatible with their own commercial interests and duties, e.g. to shareholders –

- themselves to act in a manner consistent with the principles set out when undertaking activities on behalf of the Authority
- to bring to the attention of the Authority any failure by a member or officer of the Authority, in their dealings with the contractor, partner etc., to comply with the principles set out.

The General Principles

The general principles to which members of the Authority are subject under the Relevant Authorities (General Principles) Order 2001 are incorporated in the Council’s Code of Conduct for Councillors. Of particular potential relevance to an external provider are the requirements for -

Selflessness

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

Honesty and Integrity

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

Respect for Others

Members should promote equality by not discriminating unlawfully 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.

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.

These and the other general principles are then reinforced by the Code of Conduct for Councillors

The Code of Conduct for Councillors

Members of the Authority are bound by a Code of Conduct which requires them, amongst other things

- to treat others with respect
- to promote equality and not to discriminate unlawfully
- not to use their position to their own advantage or that of their friends, families etc.
- not to use authority resources for their own benefit or that of their friends, families etc.
- not to conduct themselves in a manner which brings the authority or their office as a member of the authority into disrepute.

Financial Probity

The Authority, as a custodian of public funds, must adhere to the principles of financial probity at all times. To this end, it has adopted Financial Regulations which seek to ensure that financial transactions of the Authority are conducted in an acceptable manner and that the financial records of the Authority are maintained accurately and expediently and in accordance with current accountancy practices. Though contractors, partners, etc. have no cause to be familiar with Financial Regulations, they should be alert to any actions on the part of representatives of the Authority which give rise to concerns regarding financial probity. Any concerns in this regard can be raised with the Chief Finance Officer of the Authority who will be able to consider the issue in the context of the Financial Regulations

Civil Liberties and other legislation

As a public authority, Hartlepool Borough Council is subject to legislation which is designed to protect others and prevent abuse of their rights and liberties. Examples relevant to the Authority's relationship with contractors, partners etc. are –

- Health & Safety at Work Act 1974
- Race Relations Act 1976
- Sex Discrimination Act 1975
- Data Protection Act 1998
- Human Rights Act 1998

**references to the above legislation should be taken to include any subsequent amendments*

These, and other relevant enactments cast upon the Authority an obligation not to infringe the rights and liberties of others. Certain aspects, such as health and safety, and data protection, may be dealt with specifically in contractual documentation between the Authority and the contractor, partner etc. In that case, the contractual provisions will prevail but in the absence of express provisions, it is the expectation of the Authority that those who discharge functions on behalf of the Authority will act only in a manner which assists the Authority in complying with relevant legislation and does not expose the Authority to criticism or sanction for breach.

Notification of misconduct

If a contractor, partner etc. or any of their employees become aware of misconduct on the part of a representative of the Authority, they are urged to bring the matter to the attention of the Authority or other appropriate agency. A referral should be made as soon as evidence exists which raises a reasonable belief that misconduct has taken, or is taking, place.

The nature of the misconduct may determine whether the matter is brought to the attention of the Authority or another agency. The following guidelines are offered to assist a party considering making a referral.

<u>Conduct</u>	<u>Point of referral</u>
Member misconduct, not amounting to a serious criminal offence	Chief Executive, or Monitoring Officer or Chief Finance Officer
Officer (Strategic Management) misconduct not amounting to serious criminal offence	Chief Executive, or Monitoring Officer
Officer misconduct, not amounting to a serious criminal offence	Chief Executive
Member or officer conduct amounting to serious criminal offence	Police
Financial impropriety not amounting to fraud	Chief Executive, Chief Finance Officer, or Monitoring Officer Audit Commission
Fraud	Police

Protection against victimisation

A natural concern on the part of a contractor, partner etc, who might consider making a referral is the potential for their interests to be prejudiced by doing so. The Authority extends to such parties the same guarantee against victimisation as is offered to their employees making a referral under the Whistleblowing Policy – for employee purposes adopted under the Public Interest Disclosure Act 1998 – and for the purpose of the protections of the policy, extends the procedures incorporated in the policy to contractors, partners etc. as though they were employees of the Authority.

Relevant addresses for referrals

Chief Executive - Gill Alexander
Civic Centre Hartlepool TS24 8AY
01429 523001
Gill.Alexander@hartlepool.gov.uk

Monitoring Officer - Hayley Martin, Civic Centre Hartlepool TS24 8AY
Civic Centre Hartlepool TS24 8AY
01429 523002
Hayley.Martin@hartlepool.gov.uk

Director of Finance and - Chris Little
Policy Civic Centre, Victoria Road, Hartlepool TS24 8AY
01429 523003
Chris.little@hartlepool.gov.uk

Cleveland Police Cleveland Police Headquarters
Ladgate Lane
Middlesbrough

Cleveland
TS8 9EH

Telephone: 101

Hartlepool Police HQ
Avenue Road
Hartlepool
TS24 8AJ

Telephone: 101