

LIVE  
BY OUR  
CODE

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**Code of Conduct for  
Employees**

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**JANUARY 2018**

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## Quick Guide to the Forms

There are a range of behaviour and standards of conduct expected from Hartlepool Borough Council employees which are clearly articulated throughout this document. There are 5 instances where a written declaration is required.

Declaration forms 1-5 are to be completed as detailed in this Code. All forms will be acknowledged and recorded whether approved or declined. Details are provided within this code and on the forms.

<b>Form 1</b>	<p><b>Declaration of Relationship with External Contractor or Supplier</b></p> <p>All relationships of a business or private nature with external contractors, sub-contractors and suppliers should be made known to the appropriate Chief Officer and <b>Form 1 – ‘Declaration of Relationship with External Contractor or Supplier’</b> should be completed and submitted.</p>
<b>Form 2</b>	<p><b>Declaration of Personal Interests</b></p> <p>Section 117 of the Local Government Act 1972 requires you to make a formal declaration about contracts in which you have a financial interest, that is any direct or indirect interest of monetary value, whether or not the value is readily ascertainable. It is a criminal offence to fail to comply with this. All declarations of interest either financial or non-financial must be declared using <b>Form 2 - ‘Declaration of Personal Interests’</b>, completed and submitted.</p>
<b>Form 3</b>	<p><b>Approval to Undertake Paid Work Outside of the Council (Band 13 and above only)</b></p> <p>Paid employment outside of the Council means any paid work, on a second employment, self-employed or private business basis undertaken in addition to your Council employment.</p> <p>For officers at Band 13 or above, the form should be completed and forwarded to the appropriate Director for approval. Consideration should be given and communicated back to the employee within 14 calendar days.</p> <p>If the request is refused, the employee can appeal in writing to Chris Little, Director of Finance and Policy within 14 working days of the decision being made.</p> <p>Approval to undertake work outside of the Council must be completed and submitted on <b>Form 3 – ‘Approval to undertake Paid Work outside of the Council (Band 13 and above only)’</b>.</p>

<p><b>Form 4</b></p>	<p><b>Notification to Undertake Paid Work Outside of the Council (Band 12 and below only)</b></p> <p>The Working Time Regulations (1998) are there to protect employees and employers. It is an employee's responsibility to ensure that they comply with these regulations and do not exceed the maximum numbers of hours permitted to be worked. In order to support the Council in its duty of care, all employees Band 12 or under who undertake paid work outside of the Council should notify their Director by completing and submitting <b>Form 4 – 'Notification of undertaking paid work outside of the Council (Band 12 and below only)'</b>.</p>
<p><b>Form 5</b></p>	<p><b>Declaration of Offers of Hospitality/Gifts</b></p> <p>In order to ensure transparency, employees are requested to formally register any gift or offer of hospitality on <b>Form 5 – 'Declaration of Offers of Hospitality or Gifts'</b>.</p>

## INTRODUCTION

Hartlepool Borough Council (the 'Council') expects high standards of conduct from its employees. This document sets out the minimum standards we expect of you, provides a framework to help you understand the protocols which apply to you and gives guidance to help you comply with them.

This Code covers all employees of the Council, except for school-based employees. Schools need to give consideration to their own procedures, and where schools are using this Code, suitable advice should be sought from Human Resources.

The Code is recommended as good practice to all other groups associated with the Council who have the discretion in their employment to adopt our policies. Apart from schools, this will include such groups as voluntary sector organisations. Where applicable this Code will also apply to agency workers, contractors, consultants or third parties providing work or services for, or on behalf of, the Council. Employees should also comply with this Code if they are representing the Council on any board, partner group, agency or committee outwith the Council.

All employees of the Council have a responsibility to ensure they comply with this Code along with any other policies or procedures referred to in this document. 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 Councillors and fellow employees with impartiality, honesty and integrity.

Employees who attempt to abuse this code may face disciplinary action. The Council takes false or misleading accusations very seriously, which may result in further action taken through the disciplinary procedure. This will not include ill-founded allegations that were made in good faith. You must participate in any investigations, including those carried out by the Council's Monitoring Officer, who is responsible for ensuring lawfulness and fairness of decision making including reporting any actual or potential breaches of the law or maladministration of the Council.

The Code will be available on the intranet and in a handy sized guide for employees. It will also form part of the new Corporate Induction for new employees and those moving from one job to another within the Council.

## THE SEVEN PRINCIPLES OF PUBLIC LIFE

The Code meets the recommendations of the Nolan Committee's Standards in Public Life establishing the 'Seven Principles of Public Life'. These are:

<b>Selflessness</b>	Decisions should be based solely on the Council's best interests. Employees should not take decisions which would result in any financial or other benefit to themselves, their family or their friends.
<b>Integrity</b>	Employees should always act with integrity and not place themselves under any financial or other obligation to an individual or other organisation which might influence them in their work with the Council.
<b>Objectivity</b>	Any decisions which are made in the course of an employees work with the Council, including making appointments, or writing contracts or recommending individuals for rewards or benefits, must be based solely on merit.
<b>Accountability</b>	Employees are accountable to the Council as their employer. The Council, in turn, is accountable to the general public.
<b>Openness</b>	Employees should be as open as possible in their decisions and their actions that they take. Employees should give reasons for their decisions and should not restrict information unless this is clearly required by Council policy or the law.
<b>Honesty</b>	Employees have a duty to declare any private interests which might affect their work for the Council.
<b>Leadership</b>	Managers should promote and support these principles by leadership and example.

## OVERARCHING EXPECTATIONS OF EMPLOYEE CONDUCT

When working on behalf of the Council, you must:

- ✓ act in the best interests of the Council when carrying out your duties, and in accordance with the principles of public life of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- ✓ comply with the Council's Constitution, service requirements, policies, procedures and standards, legislation and other professional standards which apply to your role.
- ✓ declare to your Chief Officer any potential or actual conflicts of interest or relationships that may impact on your work, or that of the Council.
- ✓ report any concerns or breaches of this Code, or any other Council policies, to your manager.
- ✓ ask your manager if you are unsure what is required of you.

## DECLARATION FORMS

Declaration forms 1-5 are to be completed as detailed in this Code. All declaration forms must be forwarded to Business Support for logging onto Resourcelink once considered by the appropriate Director. All forms will be acknowledged and recorded whether approved or declined.

<b>Form 1</b>	Declaration of Relationship with External Contractor or Supplier
<b>Form 2</b>	Declaration of Personal Interests
<b>Form 3</b>	Approval to Undertake Paid Work Outside of the Council (Band 13 and above)
<b>Form 4</b>	Notification to Undertake Paid Work Outside of the Council (Band 12 and below)
<b>Form 5</b>	Declaration of Offers of Hospitality/Gifts

## SECTIONS OF THE CODE IN DETAIL

### 1. KEY RELATIONSHIPS

#### The public

Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups or individuals within that community as defined by the policies and procedures of the Council. The Council is committed to promoting equality of opportunity and to eliminate discrimination within its employment practices and service delivery and therefore employees must follow the Council's **'Equality and Diversity Statement' policy** and other policies covering these matters.

#### Councillors

Mutual respect between employees and Councillors is essential to good local governance. Inappropriate relationships between employees and individual Councillors can damage the reputation of the Council as well as individuals and should be avoided. Officers are reminded of the guidance contained within section 3 of this document 'Political Neutrality' and the Officer/Member Protocol within the Council's Constitution.

#### Contractors

Employees must be fair and impartial in any dealings with contractors, sub-contractors and suppliers. If employees are involved in a tendering process they must comply with the Council's 'Contract Procedure Rules' and the guidance within the Council's 'Officers Guide to Procurement'. All relationships of a business or private nature with external contractors, sub-contractors and suppliers should be made known to the appropriate Chief Officer and **Form 1 – 'Declaration of Relationship with External Contractor or Supplier'** should be completed and submitted. Orders and contracts must be awarded on merit, through fair competition using the appropriate policies and procedures. If you have access to confidential information on tenders or costs for either internal or external contractors, you must not disclose that information to any unauthorised individual or organisation in accordance with statutory regulations and local procurement protocols.

#### Other Council Employees

Employees may have dealings with the Council on a personal level, for instance as a Council Tax payer, or as an applicant for a grant of a permission, licence, or consent. Employees should never seek or accept preferential treatment in those dealings because of their position. Employees must also avoid placing themselves in a position or avoid actions that could lead the public to think that they are receiving preferential treatment. Similarly, employees should never use their position to seek preferential treatment for friends or relatives or firm or body for which they are personally connected.

Employees should also avoid any actions which may give the impression that they have used their position with the Council to secure preferential treatment.

## 2. PERSONAL CONDUCT

As an employee and representative of the Council, you are expected to conduct yourself to the highest standards and act in line with 7 principles of public life.

You must:

- ✓ carry out the full requirements of your role, as detailed in your contract of employment (statement of particulars), job description and Council policies and procedures.
- ✓ attend work in accordance with the terms of your contract of employment (statement of particulars).
- ✓ act in an appropriate manner in any situation where you can be readily identified as a Council employee, whether at work or otherwise.
- ✓ wear, and maintain in a reasonable condition, corporate uniform, clothing and personal protective equipment, if provided to you.
- ✓ report any shortfalls in the provision of Council services to your manager, where you feel that it is appropriate.
- ✓ report any concerns / allegations / suspicions of fraud, corruption, bribery, theft or other irregularity, as a matter of urgency in accordance with the **Whistleblowing Policy and procedure**.
- ✓ keep relationships with Councillors, employees, contractors or partners, potential contractors or service users, on a professional basis.
- ✓ be polite, courteous and helpful when dealing with all members of the local community, customers, Councillors and fellow employees.
- ✓ treat all groups and individuals with respect, acknowledge their opinions and beliefs and behave in an appropriate manner.
- ✓ treat others in a fair and equitable manner in accordance with the Council's **Equality and Diversity Statement** and the wider requirements of the law.
- ✓ follow the Council's **Customer Services Charter** when dealing with service users.
- ✓ keep all service users' money, personal records, information and correspondence secure in accordance with the Council's policies and procedures, and the Data Protection Act.
- ✓ if you have any concerns about the standard of service being provided to service user/s or behaviour towards other employees use the appropriate HBC policies and procedures.

You must not:

- ✘ criticise or engage in any conduct or behaviour that is harmful to the reputation of the Council, its services or interests, or conduct which brings the Council into disrepute, even when outside of work irrespective of media used. If you have a genuine concern or grievance, you must use the appropriate procedures within the Council.
- ✘ be under the influence of alcohol or unprescribed drugs so as to adversely affect your work.
- ✘ misuse your official position or seek to use information obtained in the course of your work, for personal interests or the interests of others.
- ✘ discriminate unfairly in the provision of facilities, services, employment practices or any other area of council duties in line with equality legislation.
- ✘ form inappropriate close personal relationships with service users, their relatives or carers.
- ✘ give any service information to anyone except those authorised to receive it.

### **3. POLITICAL NEUTRALITY**

Employees must serve all Councillors and not just those of the controlling group. They must also ensure that the individual rights of all Councillors are respected.

Employees should never compromise their political neutrality.

You must:

- ✓ give appropriate and impartial advice to any Councillor when requested.
- ✓ ensure working relationships are kept on a professional basis.
- ✓ speak to your manager if you are unsure what information you are able to provide to Councillors.

Employees should be aware if they hold a politically restricted post under the Local Government and Housing Act, 1989, as amended, you must not:

- ✘ stand as a candidate for public elected office (other than to a Parish/Town Council);
- ✘ hold office in a political party;
- ✘ canvass at elections or act as an election agent or sub-agent for a candidate for election;
- ✘ speak or write publicly, demonstrating support for a political party.
- ✘ form close personal relationships with Councillors which could damage your working relationship.

#### 4. CONFLICTS OF INTEREST AND PERSONAL INTERESTS

The best interests of the Council should always be the paramount consideration. Section 117 of the Local Government Act 1972 requires you to make a formal declaration about contracts in which you have a financial interest, that is any direct or indirect interest of monetary value, whether or not the value is readily ascertainable. It is a criminal offence to fail to comply with this. All declarations of interest either financial or non-financial must be declared using **Form 2 - 'Declaration of Personal Interests'**.

Other financial interests could include when money other than your salary or other legitimate expenses are paid into your bank account by the Council or where your address is linked to a business receiving payment from the Council.

Non-financial interests could include governorship of a local school, membership of an NHS Trust Board or involvement with an organisation or pressure group which may seek to influence the Council's policies.

Employees may choose to take on paid work in addition to their Council job as the main employer. In instances such as these, all employees are reminded of the need to comply with the Constitution of the Council which states that 'all employees should be clear about their contractual obligations and should not take any outside employment which conflicts with the Council's interests'(Part 5, Paragraph 5.1). For employees at Band 13 and above, **Form 3 – 'Approval to undertake paid work outside of the Council (Band 13 and above)'** should be completed.

The Working Time Regulations (1998) are there to protect employees and employers. It is an employee's responsibility to ensure that they comply with these regulations and do not exceed the maximum numbers of hours permitted to be worked. In order to support the Council in its duty of care, all employees Band 12 or under who undertake paid work outside of the Council, should notify their Director by completing and submitting **Form 4 – 'Notification of undertaking paid work outside of the Council (Band 12 and below only)'**.

You must:

- ✓ always consider the best interests of the Council in everything you do and declare any non-financial and financial interests that you consider bring about any conflict with the Council's interests using Form 2.
- ✓ Inform your Director if you are undertaking paid work outside the Council using **Form 4 – 'Notification of undertaking paid work outside of the Council (Band 12 and below only)'**.

You must not:

- ✘ allow any private interests to influence decisions.
- ✘ offer advice or guidance or participate in, or influence any decisions making process where you have a vested interest, or a member of the public may reasonably believe that you have such an interest.

If you are involved in a business or any commercial enterprise which might result in a conflict of interest or could reasonably be perceived by a member of the public as creating a possible conflict of interest in relation to any aspect of your work with the Council then you should inform your line manager. Again, this will require the completion of the necessary form of declaration to ensure that a full and proper disclosure has been made **Form 3 – ‘Approval to undertake Paid Work Outside of the Council (Band 13 and above only)’** and **Form 4 – ‘Notification of undertaking paid work outside of the Council’** depending on Band.

## 5. CONFIDENTIAL INFORMATION

The law requires that certain types of information must be available to Councillors, auditors, government departments, service users and the general public. The Council proceeds on the basis of “open government” however certain types of information are necessarily exempt or confidential and the maintenance of integrity and sensitivity behind that information is therefore essential. The Freedom of Information Act (2000), provides rights of access to anyone wishing to see information held by the Council (except personal data which is subject to the Data Protection Act (1998)). You must assist any person to gain access to information to which they are entitled by law.

The Council’s publication scheme issued under the Freedom of Information Act (2000), outlines those categories of information to which the public have access. The Council will apply any exemptions for the non-disclosure of information only when required to do so in compliance with the law. Accordingly, you must not allow access to information given to you in confidence or information which you believe is of a confidential nature without the consent of the person authorised to give it, unless you are required to do so by law. The Data Protection Act (1998) and the Council’s Data Protection Policy sets out key requirements for the handling of personal data. In addition, all employees should be aware and conform with the Council’s ‘Internet and e-mail’ policy. Employees should also familiarise themselves generally with the Council’s information security procedures and related guidance which should be followed at all times to protect all information held by the Council.

Employees should not use any information obtained in the course of their duties for personal gain or benefit, nor should they pass it on to others that might use it in such a way. The Council is committed to ensuring that its information systems are only used for purposes which are lawful and

acceptable to the Council. You should be aware that the Council has the right to monitor e-mail, telephone calls, websites visited and all files created by you. You must therefore bear in mind the office environment and respect your colleagues in respect of messages or images on computers, mobile phones etc.

The confidentiality of information received in the course of an employee's duties should be respected and must never be used for personal or political gain. Employees must not knowingly pass information on to others who might use it in such a way. If an employee believes that information should be disclosed in the public interest, they should follow the Council's adopted procedures under the '**Whistle-blowing**' policy and any applicable confidential reporting policies of the Council.

Employees must not communicate confidential information or documents to others who do not have a legitimate right to know. Furthermore, information which is stored whether on computer systems or manually must only be disclosed in accordance with the requirements of the Data Protection Act (1998).

Information given in the course of an employee's duties should be accurate and fair and never designed to mislead.

## **6. INFORMATION TECHNOLOGY USE**

The Council encourages employees to use IT to improve efficiency and effectiveness. However, it is essential that IT is used appropriately.

The misuse of Council resources is a serious matter and may result in employees being subject to disciplinary and, where appropriate, legal action.

Guidance documents exist within the Council in relation to the use of computers and information technology. Employees must be familiar with, and abide by the Council's policies on computer use and IT, generally.

Private use of Council facilities, such as computers (including use of the Internet), stationery and fax machines, is governed by these documents. Employees should not arrange to receive correspondence, telephone calls and fax messages in the Council related, to outside work or private interests whilst at work on Council Premises.

An employee who is aware or reasonably suspects that abuse of computers, email or the internet is taking place should consider reporting this information in a timely manner to their line manager, if necessary, in accordance with the Council's **Whistle-blowing policy**.

The Council will monitor the use of IT in compliance with statutory provisions. A record of any sites accessed by staff is automatically recorded and may be examined later if misuse is suspected.

## 7. INTERNET AND SOCIAL NETWORKING USE

The growing popularity of personal web logs (blogs) and social networking sites, such as Facebook and Twitter, may raise issues for the Council, particularly where employees choose to write about their work and the Council in which they are employed.

Internet access for personal use is at the Council's discretion and must not affect an employee's performance or productivity at work.

The Council may monitor the use of the internet for legitimate business reasons, including compliance with this Code. By using the internet employees are deemed to have consented to the monitoring, recording and auditing of internet use.

You must:

- ✓ adhere to the council's **Personal Information Security Policy** and the **Corporate Social Media Policy** when using social networking sites for personal use.
- ✓ make it clear when posting information or comments on social networking sites that any personal views expressed do not represent those of the Council.
- ✓ inform your manager within good time if you have acted inappropriately when using social media, even if the mistake has since been resolved.
- ✓ report to your manager any instances where you believe another employee has posted inappropriate or offensive comments on social networking sites.

You must not:

- ✗ post information on social networking sites which is confidential to the Council, its suppliers, customers or contractors.
- ✗ post entries on social networking sites about work colleagues and managers, Councillors, customers, contractors, service services or any other person linked to the Council which are derogatory, defamatory, confidential, discriminatory or offensive in any way or which could bring the Council into disrepute.

Employees should ensure that they do not publish or incite or allow anyone else to publish material which may criticise a fellow employee, Councillor or any individual or body which would bring the Council into disrepute.

## 8. PAID WORK OUTSIDE OF THE COUNCIL

All employees should be clear about their contractual obligations and should not take any outside employment which conflicts with the Council's interests as detailed in the Constitution of the Council Part 5, paragraph 5.12.

Paid work outside of the Council means any second employment, self-employed or private business basis undertaken in addition to your Council employment. Permission will not be granted to employees, or their partner, to operate companies providing services to the Council. Council resources should not be used in any circumstance for paid work outside of your council employment.

Employees on Band 13 and above require formal approval to undertake paid work outside of the Council as detailed in Paragraph 15.19 of the Single Status Agreement (SSA).

**Form 3 'Approval to undertake paid work outside of the Council' (Band 13 and above)** should be completed by the employee and sent to their Director for consideration. A response from the Director to the employee should be provided within 14 calendar days. All approvals will be reviewed on an annual basis.

If the request is refused, an appeal can be submitted, in writing, to Chris Little, Director of Finance and Policy within 14 calendar days of the decision being given by the Director. In the case of the Director of Finance and Policy refusing a request for his department, the Chief Executive will receive the appeal.

If you wish to undertake any paid work outside of the Council:

You must:

- ✓ obtain permission from your appropriate Director by completing **Form 3 – Approval to Undertake Paid Work outside of the Council' (Band 13 and above)** prior to undertaking any outside work (Employees Band 13 and above only)
- ✓ completing another Form 3 if there are any changes relating to your outside work.

You must not:

- ✗ put yourself in a position where your duty and private interests conflict or could appear to conflict.
- ✗ seek to gain business in the course of carrying out your Council duties.
- ✗ carry out any outside work of a private interest during working hours, including making/sending or receiving telephone calls, emails, correspondence and goods.
- ✗ use any Council facilities or equipment or confidential information in relation to commitments outside of work.

## 9. GIFTS AND HOSPITALITY

You must not accept any personal gifts, other than those of a modest/token nature (e.g. calendars, diaries or other small articles for obvious use) or being an otherwise inexpensive gift. Guidance should always be obtained either from your line manager or from the Council's Monitoring Officer if you are offered a gift which has or could be construed as being more than of token value. In order to ensure transparency, employees are requested to formally register any gift on **Form 5 – 'Declaration of Offers of Hospitality or Gifts'**.

You must also refer all offers of hospitality to your line manager and generally you should not accept offers of hospitality unless you can answer in the affirmative, the following:

- Can the hospitality be justified to the Council, public and media?
- Can I be sure the hospitality will not be subject to legitimate criticism?
- Is the extent of the hospitality reasonable and appropriate?
- Can a response to the level of hospitality be given in an appropriate fashion?
- Am I comfortable with the decision to accept the hospitality?

You should only accept offers to attend social/sporting events where these are clearly part of the Council's role in the community and where the Council would expect to be represented. When hospitality has to be declined, those making the offer should be courteously but firmly informed of the procedures operating within the Council.

When receiving authorised hospitality, employees should still be particularly sensitive as to its timing in relation to decisions which the Council may be taking which potentially affects those providing the hospitality. Where visits to inspect equipment, vehicles, land or property etc. are required, employees should ensure that the Council meets the cost of such visits without jeopardising the integrity of subsequent purchasing decisions.

When an outside organisation wishes to sponsor or is seeking to sponsor the Council 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.

Where the Council wishes to sponsor an event or services, employees nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full prior disclosure to the Council of any such interest. Similarly, where the 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.

You must:

- ✓ Complete **Form 5 – ‘Declaration of Offers of Hospitality/Gifts’** to seek approval from your appropriate Chief Officer if you are offered any gifts, hospitality or advantage, other than token gifts of a nominal value before you accept such items.
- ✓ use tact and courtesy if you need to refuse a gift or hospitality.
- ✓ report to your manager any gifts which are delivered to your place of work where you may have a problem returning it.
- ✓ report to your line manager any approaches made to you which could be viewed as being aimed at obtaining some form of preferential treatment.

It is not unusual for people receiving care or support at home from council employees, to wish to express their thanks and gratitude to care staff by offering gifts, money or even, exceptionally, by making an employee a beneficiary in their will. In order to protect the council and its employees from any suggestion of improper motives or conduct, members of staff and their families are not allowed to accept gifts or legacies from current or former clients.

If you are made aware that a client is considering making a gift to you or including you in their will, or has actually done so, then you must inform your manager immediately, in order that appropriate contact can be made with the client. Similarly, you must not become involved with making wills for clients nor act as an executor in a client's will.

If you are unclear what is acceptable, ask your line manager in the first instance.

## **10. CORRUPTION**

It is a serious criminal offence for employee to receive or give any gift, loan, deed, reward or advantage in doing or not doing anything or showing favour or disfavour to any person in their official capacity.

The Bribery Act (2010), effectively repeals all previous statutory provisions in relation to bribery and instead replaces them with the following offences:

- The crime of bribery
- The crime of being bribed
- The bribery of a foreign public official
- The failure of a commercial organisation to prevent bribery on its behalf.

A person will commit the crime of bribery when a person offers, gives or promises to give a 'financial or other advantage' to another individual in exchange for "improperly" performing a "relevant function or activity". The offence of being bribed is defined as requesting, accepting or agreeing to accept such an advantage, in exchange for improperly performing such a function or activity.

Further guidance is provided in Section 4 – ‘Conflicts of Interest and Personal Interest’.

## **11. USE OF RESOURCES**

Employees must also ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid challenge to the Council.

Employees should always ensure that any facilities such as vehicles, stationery, computer or secretarial services provided by the Council used in their duties are used strictly for those duties and for no other purpose. This will not prohibit staff from “working from home” and from time to time taking necessary equipment home for this purpose. However, as a safeguard, you should alert your line manager that you are intending to take home valuable equipment.

## **12. SAFEGUARDING**

All employees must undertake their work (and associated training) in accordance with requirements laid down in support of the Council’s duties for safeguarding and protecting children, young people and vulnerable adults.

An employee must comply with any legal requirements of the Council to declare any criminal convictions.

Employees must not conduct themselves in a way that is contrary to any relevant policy and/or procedure of the Council. This includes conduct which would bring into question their suitability to work with children, young people and vulnerable adults.

All employees working with children, young people and vulnerable adults have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children, young people and vulnerable adults. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of the public in general and all those with whom they work.

There may be times, for example, when an employee’s behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their position in the workplace or indicate unsuitability to work with children or young people. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

Employees in contact with children, young people and vulnerable adults should therefore understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than the work setting.

The behaviour or actions of an employee's partner or other close family member may raise similar concerns and may require careful consideration by the employee and the Council as to whether there may be a potential risk to children, young people and vulnerable adults in the workplace.

### **13. HEALTH AND SAFETY**

Employees have a legal duty to cooperate at all times with the Council to ensure it can fulfil its employer duties under health and safety and fire safety legislation.

You must:

- ✓ take reasonable care of yourself and of other people who may be affected by your actions and behaviour.
- ✓ inform your manager or supervisor of any hazardous situation or condition that may cause ill health or injury.
- ✓ report any incident or accident in line with the **Council's Safety Incident Reporting Procedure**.
- ✓ ensure you use the Employee Protection Register appropriately.

You must not:

- ✗ intentionally or recklessly interfere with or misuse anything that has been provided in the interest of health and safety.
- ✗ deliberately ignore safety procedures or cut corners to save time or money.

### **14. EQUALITY AND DIVERSITY**

All local government 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. All members of the local community, customers and other employees have a right to be treated with fairness and equality.

The Council is committed to promoting equality of opportunity and to eliminate discrimination within its own employment practices and service delivery and therefore you must follow the Council's **Equality and Diversity Statement** and other policies covering these matters.

As an employee you are entitled to expect equality of treatment with colleagues, managers and Councillors. If you feel that you have been unfairly treated or been discriminated against you are perfectly entitled to make use of the appropriate Council procedures and seek advice from your Trade Union representative, if you are a member of a Trade Union.

### **15. RECRUITMENT AND SELECTION**

Policies covering recruitment and selection must be followed to ensure

that all appointments are made on the basis of merit.

If you are involved in the recruitment and selection process and have any kind of relationship with any applicant which might affect your ability to be impartial, that relationship must be declared. The existence of such a relationship will preclude your involvement in the recruitment and selection process.

If you have been lobbied by an applicant, a colleague, a Councillor or any other person you must report the matter to your line manager. You must also not lobby a Councillor or a colleague either directly or indirectly to secure your own appointment or promotion, or the appointment or promotion of any other person.

Personal relationships between colleagues who work together can give rise to conflicts of interest. Employees should therefore be mindful of such situations and be prepared to inform their Line Manager. Any information declared or so disclosed should be recorded on the employees' personal files and treated in strict confidence.

## **16. MEDIA**

When acting in matters initiating or responding to contact with the media this should only take place when this has been authorised by the Communications and Marketing team. You must follow any guidance issued by the Council particularly in times of particular sensitivity e.g. the so called "Purdah period" during the holding of elections and also have regard to the Code on Recommended Practice relating to local authority publicity as issued under the Local Government Act (1986).

As an ordinary citizen, you are entitled to express your views about the Council, provided you do not make use of any private or confidential information gained through your work with the Council. However, you should not in your capacity as an employee criticise the Council either through the media or at a public meeting or in any written communication with members of the public. This clearly does not preclude an employee of the Council reporting on, or acknowledging improvements required in the work of the Council where this is a requirement of the employee's duties or responsibilities. In more serious cases where an employee reasonably believes the commission or likely commission of an offence would warrant a "protected disclosure" being made in the public interest, then the same is permissible through the Council's **Whistle Blowing policy and procedure** which is available upon the Council's Intranet and conforms with the Public Interest Disclosure Act (1998) as inserted into the Employment Rights Act (1996).

The Act covers behaviour which amounts to:

- a criminal offence.
- a failure to comply with any legal obligation.

- a miscarriage of justice.
- a danger to the health and safety of any individual.
- damage to the environment.
- the concealment of information about any of the above matters.

If you have any concerns about any such behaviour speak to your line manager in the first instance. If you feel you are unable to discuss your concern with your line manager or other Chief Officer within your service area, then you can report your concerns to the Council's Monitoring Officer or with a representative of a recognised Trade Union.

This provision will not have application to a Trade Union official, when acting in that capacity.

## **17. ACCESS TO YOUR COUNCILLOR**

As a member of the public you are entitled to raise with your Councillor any complaint which you have about the services of Hartlepool Borough Council. Employees are expected to do this in their own time.

If your complaint concerns any aspect of your work with the Council, this should always be discussed with your line manager in the first instance (where this is not appropriate then another appropriate manager). If this does not lead to your concerns being adequately addressed you can then make use of the Council's appropriate HR procedures.

You must not approach Councillors to raise any work related issues as this could lead to disciplinary action for not following Council procedures for managing such issues.

In circumstances where your concerns relate to a potential allegation of fraud, corruption, safeguarding or other serious concern these can be raised through the Council's **'Whistling Blowing' policy and procedure.**

You must:

- ✓ Raise issues with your line manager in the first instance, wherever possible, to deal with problems at an early stage.
- ✓ Use the appropriate HBC HR procedures if the informal discussion does not lead to a satisfactory conclusion.

You must not:

- ✗ Approach Councillors directly and raise any work related issues.

## **18. REPORTING IMPROPER OR ILLEGAL ACTIVITIES**

In regard to all aspects of this Code, should you be concerned about any activities which you think may conflict with the Code of Conduct, carried out by yourself or other employees, you should raise the matter with your line manager in the first instance.

You must report any activity which you believe is illegal, improper, unethical, and dangerous or a breach of Code to your line manager or through the Council's **Whistle-blowing policy**.

## **19. INTELLECTUAL PROPERTY**

Some aspects of the work you carry out, or produce, on behalf of the Council may be intellectual property. All creative designs, writings, reports, drawings and inventions produced by employees in the course of their duties are the property of the Council.

You must not:

- × disclose, publish or otherwise use the work you produce for the Council for personal gain or benefit unless you have the express written permission of your appropriate Chief Officer.

**For more information about Hartlepool Borough Council:**

 [www.hartlepool.gov.uk](http://www.hartlepool.gov.uk)

 [www.twitter.com/hpoolcouncil](https://www.twitter.com/hpoolcouncil)

 [www.facebook.com/hartlepoolcouncil](https://www.facebook.com/hartlepoolcouncil)

 (01429) 266522

If you know someone who needs this information in a different format, for example large print, Braille or a different language, please call (01429) 266522.

