

# **CODE OF CONDUCT FOR STAFF**

**Revised April 2019**

RUNNYMEDE BOROUGH COUNCIL

**CODE OF CONDUCT FOR STAFF**

The Council has approved a Code of Conduct for staff to apply to all members of staff. The Code of Conduct is primarily intended to give staff more detailed advice and guidance in what can sometimes be a difficult area for those of us working in the public service and is designed to protect your individual interests as much as the Council's.

The Code gives detailed advice and guidance in a number of specific areas as follows :

Section Subject

1	Standards
2	Disclosure of Information
3	Political Neutrality
4	Relationships
5	Appointments and other Employment Matters
6	Outside Interests
7	Personal Interests
8	Equality Issues
9	Separation of Roles during Tendering
10	Fraud and Corruption
11	Use of Financial Resources
12	Gifts and Hospitality
13	Sponsorship - Giving and Receiving
14	Conference Attendance
15	Use of the Council's Materials etc.
16	Interest of Staff in Contracts
17	Financial Regulations and Standing Orders
18	Politically Restricted Posts - Restrictions on Political Activity
19	Politically Restricted Posts - Declaration of Personal Interests
20	Wills and Legacies.

You should read the attached copy of the Code - further copies are available from Human Resources. If in any doubt as to the meaning of any section, or its precise implications for you, you should seek clarification from your Corporate Head in the first instance. In particular, please note that you are now required to report to Chief Executive full details of:

- a) personal relationships with contractors or potential contractors (Section 4 of the Code);
- b) personal and/or financial interests which could bring about conflict with the Authority's interests, and membership of any external organisation requiring formal membership and commitment of allegiance and with secrecy about its rules or conduct (Section 7 of the Code);
- c) management buy-outs (Section 9 of the Code)
- d) hospitality received and offered (Section 12 of the Code);
- e) potential benefit from or interest in sponsorship by the Authority (Section 13 of the Code);
- f) personal interests in contracts (Section 16 of the Code);
- g) direct and family interests in various matters by holders of Politically Restricted Posts (Section 19 of the Code).

A simple pro-forma for recording details of any of these relationships and interests is available from the Chief Executive's secretary and should be completed as appropriate and forwarded to the CE as soon as possible. The information must be updated as and when circumstances change. Again, if there are any problems (e.g. the extent of detail required) please consult the CE. This information will be held confidentially but may be subject to access by others under Data Protection or Freedom of Information legislation.

The purpose of the Code and the Register is to avoid situations where a member of staff might be unfairly accused of having some potentially conflicting interest in anything he or she may be involved in through their work with the Council. However, as with any matters relating to conduct, a significant breach of the Code of Conduct could, in appropriate circumstances, be subject to the Council's Disciplinary Procedures. Equally, the Council's Grievance Procedure would apply if any member of staff is unhappy at the way the Code is applied in his or her case.

Copies of the Code of Conduct are always available for reference in Human Resources, and all staff should feel free to refer to the Code or to seek clarification on any point at any time or to seek a confidential meeting with the CE on any specific matter arising from the Code. If in doubt on any matter arising from the Code, then it will always be best to seek advice as soon as possible.

**RUNNYMEDE BOROUGH COUNCIL**

**CODE OF CONDUCT FOR STAFF**

**REGISTER OF INTEREST(S)**

Staff should use this form to register with the Chief Executive details of any interest(s) they may have under Sections 4, 7, 9, 12, 13, 16 and 19 of the Code of Conduct for staff. Please note that if in any doubt, advice may be sought (in confidence if required) from the Chief Executive.

This information will be held confidentially but may be subject to access by others under Data Protection or Freedom of Information legislation.

Name .....

Post .....

DATE	DETAILS OF INTEREST	SECTION OF CODE

**RUNNYMEDE BOROUGH COUNCIL**

**INDEX OF STAFF WHO HAVE REGISTERED INTERESTS  
IN ACCORDANCE WITH THE CODE OF CONDUCT**

The staff named below have registered interest(s) in Sections 4, 7, 9, 12, 13, 16 and 19 of the Code of Conduct as indicated. Details of each interest are held in the Register of Interest in alphabetical order of name.

This information will be held confidentially but may be subject to access by others under Data Protection or Freedom of Information legislation.

NAME	POST	SECTION OF CODE

**RUNNYMEDE BOROUGH COUNCIL**

**CODE OF CONDUCT FOR STAFF**

**REGISTER OF GIFTS AND HOSPITALITY**

All members of staff are required to declare gifts and hospitality above the value of £50 they are both offered and receive in line with section 12 of the Code of Conduct set out in the Council's Constitution.

Staff should use this form to register with the Chief Executive details of any gifts and hospitality they may have been offered or received. Please note that if in any doubt, advice may be sought (in confidence if required) from the Chief Executive or Monitoring Officer.

Staff are asked to email details of gifts and hospitality within 7 days of their receipt/offer made to the Chief Executive's Personal Assistant, Mary Hewson (in her absence Clare Sykes, Executive Officer), to the Monitoring Officer, Mario Leo, or to Democratic Services (Clare Pinnock).

If a member of staff verbally advises of a gift or hospitality, it is recommended that they follow up with an email to all parties, using this pro-forma.

This information will be held confidentially but may be subject to access by others under Data Protection or Freedom of Information legislation.

Details of gifts and hospitality are kept for a period of 6 years and then confidentially destroyed.

Name .....

Post .....

DATE	DETAILS OF GIFT/HOSPITALITY	AUTHORISED BY

RUNNYMEDE BOROUGH COUNCIL

**CODE OF CONDUCT**

**Introduction**

The public is entitled to expect the highest standards of conduct from all staff who work for Runnymede Borough Council. Public confidence in staff's integrity would be shaken were the least suspicion, however ill-founded, to arise that they could in any way be influenced by improper motive. This Code outlines existing laws, regulations, standing orders, instructions and conditions of service and provides further guidance to assist and protect staff in their day-to-day work. The Code is produced in the light of the challenges that staff face in the new and more commercially orientated environment. This includes market testing, etc.

Unless stated otherwise failure to follow the various guidelines and requirements could, if proven, result in disciplinary action being taken. It is important, therefore, that staff familiarise themselves with the contents of this Code.

**1. Standards**

- 1.1 You are expected to give the highest possible standard of service to the public, and where it is part of your duties, to provide appropriate advice to Councillors and fellow staff with impartiality. You will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service. You must report any impropriety or breach of procedure. Normally this would be to the Line Manager but in exceptional cases may be direct to the Corporate Head or the Chief Executive.

**2. Disclosure of Information**

- 2.1 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. You must be aware of which information is and is not open, and act accordingly.
- 2.2 The Council's practice is to make as much information available to the public as possible. In preparing committee reports, for example, items should not be made 'exempt', even though this might be technically possible, unless disclosure would prejudice the position of the Council, or the individual or organisation concerned. Whenever possible, such information should be restricted to an exempt appendix. Generally therefore you may release factual information unless
- (i) it is (or is likely to be) the subject of an exempt report
  - (ii) it relates to the personal circumstances of a member of staff, or a member of the public or organisation, or
  - (iii) it is covered by restrictions under the General Data Protection Regulations 2016 and Data Protection Act 2018

Guidance can be obtained from the Corporate Head of Law and Governance.

- 2.3 Particular attention must be paid to requests for statements to the Press and other media. Only the Chief Executive, Corporate Heads, Communications Officer or other specifically authorised staff may make any sort of statement to the media. If information is given, although it may be factually correct, it may well be open to misinterpretation in the form in which it is published or broadcast.

2.4 Personal data relating to staff or Councillors must be held in accordance with the Access to Personal Data Protocol (Human Resources Policies & Procedures and in Part 5 of the Constitution) and not passed on to unauthorised persons.

2.5 You must not use any information obtained in the course of your employment for personal gain or benefit, nor should you pass it on to others who might use it in such a way.

### **3. Political Neutrality**

3.1 You serve the Authority as a whole. It follows you must serve all Councillors and not just those of the controlling group, and must ensure that the individual rights of all Councillors are respected. The Council's Member/Officer Protocol should be consulted for fuller information. (Human Resources Policies & Procedures and also contained in Part 5 of the Constitution)

3.2 Members should not request staff to attend political or party meetings, except in cases where it is clearly understood that staff will be asked to explain or advise on some statutory requirement or some other matter relating to the work or obligation of the Council as a whole. In such cases the impartiality of the staff should be respected, and it should be recognised that the member of staff is under an obligation to provide similar information and advice to Members of other political Groups if so requested or so minded. Staff can insist on any safeguards necessary to ensure that their political neutrality in Council matters is not put at risk and that their role is not misunderstood. They may seek the advice of the Chief Executive if in any doubt.

3.3 Whether or not politically restricted, you must follow every lawful expressed policy of the Authority and must not allow your own personal or political opinions to interfere with your work.

3.4 Political assistants appointed on fixed term contracts in accordance with the Local Government and Housing Act 1989 are exempt from the standards set in paragraphs 3.1 to 3.3.

### **4. Relationships**

#### **4.1 Councillors**

You are responsible to the Authority through its Senior Managers. For some, your role is to give advice to Councillors and Senior Managers and all are there to carry out the Authority's work. Mutual respect between staff and Councillors is essential to good local government. Close personal familiarity between staff and individual Councillors can damage the relationship and prove embarrassing to other staff and Councillors and should therefore be avoided. The Council's Member/Officer Protocol should be consulted for fuller information. (Human Resources Policies & Procedures and Part 5 of the Constitution)

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

You should always remember your responsibilities to the community you serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the Authority.

#### **4.3 Contractors**

All relationships of a business or private nature with external contractors, or potential contractors, must be made known to the Chief Executive. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour shall be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community shall be discriminated against.

4.4 If you 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 contractors, you must declare that relationship to the Chief Executive.

#### **4.5 Attendance at Outside Functions**



As a general rule it is important that the profile of the Council is well represented both within the community and in the various regional and professional bodies that exist in the public sector. Support of voluntary groups is encouraged by attending AGMs, gatherings, social or other. The important criterion here is to ensure that support is seen to be broadly based and we do not obviously favour one organisation more than another. It makes sense that you avoid being compromised in discussion that may, for example, relate to a potential client's application, assistance in kind or the provision of information gleaned whilst working at Runnymede which may be of a sensitive nature.

## **5. Appointments and Other Employment Matters**

- 5.1 If you are involved in appointments you must ensure that these are made on the basis of merit. It would be unlawful to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, you must not be involved in an appointment where you are related to an applicant, or have a close personal relationship outside work with him or her.
- 5.2 Similarly, you must not be involved in decisions relating to discipline promotion or pay adjustments for any other member of staff who is a relative, partner, etc. Where appropriate, cases involving a personal relationship must be referred to the Corporate Head or, if involving the Corporate Head, the Chief Executive.
- 5.3 It is not acceptable or appropriate for Council officers at any level to lobby Elected Members on personal employment issues. If an employee has issues or concerns over any personal employment matter they need to raise it in the first instance with their line manager who will attempt to resolve the matter. If the employee is dissatisfied with the outcome of their discussions with their line manager, they may approach their Trade union representative or Human Resources. If informal methods have not resulted in a satisfactory resolution to their issue/s, they have the right to raise a grievance if they wish. If Members are ever approached by a council Officer at any level over a personal employment issue they should refer the employee to their line manager to deal with the issue concerned

## **6. Outside Interests**

- 6.1 If you are graded in accordance with management scales you must not engage in any other business or take up any additional appointment without the consent in writing of the Chief Executive.
- 6.2 You must not engage in an activity or paid employment which is in potential conflict with the Council's interests. For example you must not prepare plans for planning or building control purposes in respect of any property in the Borough other than your principal residence.
- 6.3 You must not become involved in the processing or consideration of any matter in which you have a personal interest. For example you must not take any part in the processing or consideration of grant applications in which you have a personal interest.

## **7. Personal Interests**

- 7.1 You must declare to the Chief Executive any non-financial interests that you consider could bring about conflict with the Authority's interests.
- 7.2 You must declare to the Chief Executive any financial interests which could conflict with the Authority's interests.
- 7.3 You must declare to the Chief Executive 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.

## **8. Equality Issues**

- 8.1 You must ensure that policies relating to equality issues as agreed by the Authority are complied with in addition to the requirements of the law. All members of the local community, customers and other staff have a right to be treated with fairness and equality.

## **9. Separation of Roles During Tendering**

- 9.1 If you are involved in the tendering process and dealing with contractors you must be clear on the separation of client and contractor roles within the Authority where an in house bid is involved. If you are a senior member of staff who has both a client and contractor responsibility you must be aware of the need for accountability and openness.
- 9.2 You must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- 9.3 If you are privy to confidential information on tenders or costs for either internal or external contractors you must not disclose that information to any unauthorised party or organisation.
- 9.4 If you are contemplating a management buyout you must, as soon as you have formed a definite intent, inform the Chief Executive and withdraw from the contract awarding processes.
- 9.5 You must ensure that no special favour is shown to current or recent former staff or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

## **10. Fraud and Corruption**

- 10.1 You must be aware that it is a serious criminal offence to request, agree to receive, or accept a financial or other advantage in return for improperly performing a function or activity, whether by yourself or someone else, or improperly performing a function or activity (or arrange for this) in expectation of reward. Note that receiving or soliciting a gift from anyone other than your employer in return for doing your job could well be construed as improper, but even for other cases, please note the guidance on gifts and hospitality referred to in paragraph 12 below. Please also ensure you are familiar with the Council's Anti-Fraud and Corruption Policy which can be found in the Constitution on the Intranet.

## **11. Use of Financial Resources**

- 11.1 You must ensure that you use public funds entrusted to you in a responsible and lawful manner. You should strive to ensure value for money to the local community and to avoid legal challenge to the Authority.

## **12. Gifts and Hospitality**

- 12.1 You should only accept offers of hospitality if there is a genuine need to impart information or represent the Local Authority in the community. Offers 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 must be properly authorised and recorded in a register maintained by the Chief Executive.
- 12.2 When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the Authority.
- 12.3 You must not accept significant personal gifts exceeding £25 in value from contractors and outside suppliers, although you may keep insignificant items of token value such as pens, diaries, etc.
- 12.4 It is recognised that staff often find themselves in a difficult position when a gift is proffered as a genuine expression on the part of a client, Council Tax payer or contractor to mark any exemplary or especially helpful piece of behaviour. These will often be in the form of flowers,

chocolates, wine, etc. The safest advice in these circumstances is to indicate that the Council's policy prevents you from accepting. If the party concerned is anxious to press the gift then it can be accepted but passed to the relevant Corporate Head for distributing to one of the local charities, day centres or hospitals with a letter to the giver confirming our gratitude and the action taken. Such a letter should go from the Corporate Head rather than the recipient of the gift themselves.

- 12.5 All other gifts regardless of source must be declined save where an exchange of gifts may take place with visiting groups typically from other Local Authorities or City Governments from abroad. Should they however be left in the premises or delivered to your home address, it is clearly necessary that the Corporate Head/Chief Executive be advised at the earliest practicable date to determine what action should be taken.
- 12.6 When receiving authorised hospitality you should be particularly sensitive as to its timing in relation to decisions which the Authority may be taking affecting those providing the hospitality.
- 12.7 Acceptance of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the Authority gives consent in advance and where the Authority is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, etc. are required, you must ensure that the Authority meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.
- 12.8 A modest lunch taken in the context of a business meeting is acceptable, a test of reasonableness being whether or not the arrangements would be acceptable if the Council were hosting the meal. A careful watch on the cost per head and venue chosen is always wise and as a reasonable guide caution should be exercised where the price for a meal is likely to exceed £40 per head. Entertainment outside the context of the business day, for example invitations to sporting events or leisure activities, would not be acceptable.
- 12.9 Whilst individual Chief Officers and their Business Centres do not have specific hospitality budgets there is a public relations and promotions budget which can support reciprocation providing always that beneficial business or dialogue on the part of the Authority is being transacted. A hospitality register is held by the Chief Executive in which the following details of hospitality offered and received must be entered :-
- names of those providing and receiving hospitality and their company
  - details of hospitality, estimated value, time and location
  - nature of the discussion
  - details of any "permission" or work the other party is interested in securing
  - approval of the Chief Executive (or in the event that the Chief Executive is in receipt of hospitality the Corporate Head of Law and Governance or Assistant Chief Executive). For urgent matters, the Corporate Head of Law and Governance or Assistant Chief Executive may act in the absence of the Chief Executive.
- 12.10 It should be remembered that reciprocation is one of the best methods to neutralise any potential compromise where hospitality has been extended by an outside organisation.
- 12.11 No employee shall deliberately solicit any cash or gift at any time, including over the Christmas period; or deliberately reduce or deny any service normally provided by the Council as a result of not receiving a token of appreciation.

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

- 13.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a Runnymede Borough 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.
- 13.2 Where the Authority wishes to sponsor an event or service neither you nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full

disclosure to the Chief Executive of any such interest. Similarly, where the Authority through sponsorship, grant aid, financial or other means, gives support in the community, you must ensure that impartial advice is given and that there is no conflict of interest involved.

- 13.3 Any individual sponsorship received by a member of staff, for example sports sponsorship, must be treated as a declarable interest and notified to the Council.

#### **14. Conference Attendance**

- 14.1 The attendance at conference or other seminars, summer schools or similar gatherings greater than a day in duration is at least in part covered by Human Resources Policies and Procedures Handbook. All attendances at such gatherings greater than a day should be approved by the appropriate Corporate Head or Chief Executive and be demonstrably beneficial to the Authority or to your training and development or profession.

- 14.2 Sensitivity must always be exercised. Attendance should seldom require more than one representative of the Authority who should be responsible for preparing a brief of the important/useful issues discussed or make the full set of papers and other publications provided available within the organisation. As good practice, the expenses and fees associated with such attendance must be countersigned by the Chief Executive or should it be him then by the Monitoring Officer or Chief Finance Officer. For urgent matters, the Corporate Head may act in the absence of the Chief Executive.

#### **15. Use of the Council's Materials, Equipment or Resources**

- 15.1 It is important that a relationship of trust exists between the Council and its staff. The Council's property and resources are provided in respect of its work. No improper use shall be made of any of its facilities such as vehicles, equipment, stationery or secretarial services. Only in the most exceptional circumstances will the Chief Executive, or relevant Corporate Head grant approval for Council facilities to be used for any purpose other than on Council business. It is recognised, however, that on occasions you might need to have access to a telephone, fax machine or photocopier for personal use. Provided that such use is minimal and that the Council is reimbursed costs on the forms provided, you may use these facilities.

#### **16. Interest of Staff in Contracts and Other Matters (Extract from Standing Orders)**

- 16.1 If you know that you have a "disclosable pecuniary interest" in any contract or other matter, other than :-

- a) your contract of employment with the Authority, or
- b) the tenancy of any dwelling provided by the Authority

you must give written notice of the fact to the Chief Executive as soon as possible. This duty is in addition to any duty under Section 117 of the 1972 Act or other provisions.

- 16.2 For the purposes of this Standing Order, a "disclosable pecuniary interest" is an interest which would require disclosure under the Member Code of Conduct if you were a Member of the Council.
- 16.3 The Chief Executive must register any notice given by you under Section 117 of the 1972 Act or paragraph 39.1. This book must be available for inspection by any member of the Council during office hours.
- 16.4 Wherever possible, you must avoid personal involvement in a matter in which you have declared an interest either by statute or under this Standing Order. If this is not practicable, you must mention in any report on the matter you have made such a declaration and give brief details of it, in a separate paragraph at the commencement of the report. If you are advising a meeting orally you must mention your declaration orally.

**17. Financial Regulations and Standing Orders Relating to Contracts**

- 17.1 Standard procedures have been agreed which govern the Council's financial matters and detail arrangements for handling money.
- 17.2 Likewise Standing Orders detail the procedures to be followed in awarding contracts for work or services.
- 17.3 If your work involves the handling of money or awarding of contracts you must familiarise yourself with the requirements of the Council's Financial Regulations and appropriate Standing Orders. Guidance notes are also available to help in understanding. Failure to follow the correct procedures will be treated as a serious matter.

**18. Politically Restricted Posts - Restrictions on Political Activity**

- 18.1 The Local Government Officers (Political Restrictions) Regulations 1990 place political activity restrictions on Local Government staff who hold politically restricted posts. The Local Democracy, Economic Development and Construction Act 2009 updated the definition of politically restricted posts to 'specified posts' or 'sensitive posts'.
- 18.2 In general terms in Runnymede, politically restricted posts are those at Chief Officer level or those who report directly to a Chief Officer, posts with functions delegated to them under the Scheme of Delegation, those who advise Committees and those who regularly brief journalists or newscasters.
- 18.3 Further information on the political restrictions and posts affected are available in the Human Resources Office.

**19. Politically Restricted Posts - Declaration of Personal Interests**

- 19.1 A register is maintained by the Chief Executive. If you hold a politically restricted post you should detail in the register direct and family interests in shares, bonds, unit trusts and similar securities (but not savings), above the level of £5,000 for each company or 1% of the share capital whichever is the smaller. Any personal interest in property or other assets within the Borough, personal or family connections with those known to do business with the Authority, and membership of professional, voluntary, charitable, or other organisations and bodies either of a national or local nature should also be noted. For this purpose "family" includes spouse, civil partner and children or other persons normally residing with you.
- 19.2 This provision is issued as guidance and therefore failure to comply is not in itself a disciplinary matter. However, failure identified as part of other supervisory or disciplinary procedures would weigh in terms of the actions proposed by the Authority.

P & R 31/1/95, 28/6/95

**20. Wills and Legacies**

- 20.1 Members of the public, particularly those in receipt of services for older people, might, from time to time, name a member of staff as a beneficiary in their Will as a mark of appreciation for services provided during their lifetime. If staff become aware of such an intention, the individual must be firmly but courteously informed that staff are not permitted to receive such gifts. If the member of staff only becomes aware of the legacy following the death of the member of the public then the Executor of the deceased's Estate must be informed firmly but courteously that staff are not permitted to accept such gifts. A legacy from a member of the public shall not be accepted by staff when their relationship has arisen or developed through contact only in an official capacity as a member of staff of this Council.
- 20.2 In a community such as the Borough of Runnymede, where many staff live within the Borough, it is possible that staff might have a pre-existing relationship with a member of the public prior to taking up a post with the Council. Where a member of staff is named as a

beneficiary in the Will of a member of the public whom they have served but the staff member can show there was a pre-existing relationship between them and the member of the public prior to their appointment to the Council's service the legacy may be retained by the member of staff. However, it would be advisable for staff in these situations to declare to the Chief Executive the fact that they are a named beneficiary in the Will of a member of the public whom they are serving/have served as soon as possible.

- 20.3 Unless a pre-existing relationship has existed, staff are advised not to accept an appointment of Executor or Administrator in respect of a member of the public whom they are serving/have served. Individuals requesting such assistance should be directed to the Citizens Advice Bureau or Age UK for advice.

Corporate Management 30/5/02 and 3/3/11