

# GUILDFORD BOROUGH COUNCIL

## CODE OF CONDUCT FOR STAFF

### 1. Introduction

- 1.1 The public is entitled to expect the highest standards of conduct from all staff working for Guildford Borough Council. Public confidence in their integrity would be shaken were the least suspicion to arise that they could in any way be influenced by improper motives.
- 1.2 The Council approved this code of conduct, which applies to all employees, on the recommendation of the former Standards and Audit Committee and after consultation with representatives of staff. It draws together existing laws, regulations, rules, policies and conditions of service relating to conduct and provides further guidance to assist and protect staff in their day-to-day work.
- 1.3 Failure to follow the various guidelines and requirements set out in this code may result in disciplinary action being taken, which could lead to dismissal. Therefore, it is important that staff familiarise themselves with the content.
- 1.4 Where employees are in any doubt about any matter arising from the code, including whether any personal relationships or interests should be declared in particular circumstances, they should seek advice from their director or the Monitoring Officer.
- 1.5 The Code gives advice and guidance on the following matters:-
- General standards
  - Political neutrality
  - Disclosure of information
  - Relationships
  - Use of the Council's materials, equipment or resources
  - Separation of roles during competitive tendering
  - Appointments and employment matters
  - Outside commitments
  - Personal interests
  - Gifts and hospitality
  - Sponsorship
  - Equality and health and safety issues
  - Information technology
  - Breach of code of conduct

### 2. General standards

- 2.1 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 must not conduct yourself in a manner which could reasonably be regarded as bringing the Council into disrepute.
- 2.2 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 your line manager but, in exceptional cases, may be direct to a director or the Managing Director. Further information is contained in the Council's Whistle-Blowing Policy.

- 2.3 You should be aware that it is a serious criminal offence for you corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in your official capacity.

### **3. Political neutrality**

- 3.1 You serve the Council as a whole and must, therefore, serve all councillors and not just those of one particular group. You must ensure that the individual rights of all councillors are respected.
- 3.2 You shall not be required to advise or attend group meetings of the political groups of the Council and must not do so without the consent of your director. Any advice to political groups must be given in a way that does not compromise your political neutrality.
- 3.3 Some senior and other posts are designated as politically restricted posts. If your post is so affected, this will have been identified to you as part of your terms of employment and you will have received a schedule setting out the various restrictions in force.
- 3.4 Whether or not you are politically restricted, you must follow every lawful expressed policy of the Council and must not allow your own personal or political opinions to interfere with your work.

### **4. Disclosure of information**

- 4.1 It is generally accepted that open government is best. The law requires that certain types of information must be available to councillors, auditors, government departments, service users and the public. If you are unsure as to what information can be disclosed, you must seek guidance from the Monitoring Officer in respect of committee reports and your service leader or director in respect of all other information.
- 4.2 You must not use any information obtained in the course of your employment for personal gain or benefit nor pass it on to others who might use it in such a way.
- 4.3 Personal information about another member of staff or councillor should not be divulged without their prior approval, except where that disclosure is required or sanctioned by law.

### **5. Relationships**

#### Councillors

- 5.1 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 should, therefore, be avoided. The Protocol on Member/Officer Relations provides further guidance on the role and relationships of councillors and officers and principles governing general conduct.

#### Local community and service users

- 5.2 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.

### Contractors

- 5.3 All relationships of a business or private nature with external contractors or potential contractors must be made known to your director. Orders and contracts must be awarded on merit by fair and open competition against other tenders. No special favour should be shown to businesses with particular connections to employees (e.g. friends, partners or relatives). No part of the local community should be discriminated against.
- 5.4 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 should declare that relationship to your director.

### Colleagues

- 5.5 You should treat colleagues with fairness, dignity and respect at all times. Mutual respect between colleagues is essential to good working relationships. The Council will not tolerate bullying, harassment or victimisation of anyone in any form.

## **6. Use of the Council's materials, equipment or resources**

- 6.1 You must ensure that public funds entrusted to you are used 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 Council.
- 6.2 If your work involves the handling of money or awarding of contracts, you must familiarise yourself with the requirements of the Council's Financial and Procurement Procedure Rules. Failure to follow the correct procedures will be treated as a serious matter.
- 6.3 You must follow the Council's rules on the ownership of intellectual property or copyright created during your employment.
- 6.4 You must ensure that all facilities, including stationery, secretarial, computer services, use of telephones, fax machines and photocopiers and all materials provided by the Council, are used only in connection with duties arising directly from your employment with the Council.

## **7. Contracts and tendering**

- 7.1 If you are involved in the tendering process and dealing with contractors, you must be aware of the need for accountability and openness and follow agreed procedures. You must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- 7.2 If you are privy to confidential information on tenders or costs relating to contractors, you should not disclose that information to any unauthorised party or organisation.
- 7.3 You should 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.

## **8. Appointments and employment matters**

- 8.1 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 should 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.
- 8.2 Similarly, you should not be involved in any decisions relating to discipline, promotion or pay adjustments for any other member of staff who is a relative, partner or close personal friend outside work. You should not show any favouritism in day-to-day working relationships.

## **9. Outside commitments**

- 9.1 Your off-duty hours are your personal concern, but you must not subordinate your duty to your private interest or put yourself in a position where your duty and your private interest conflict. You must also not do anything which could reasonably be regarded as bringing the Council into disrepute.
- 9.2 The Council will not preclude you from undertaking additional employment, but this employment must not, in the Council's view, conflict with your job or have a detrimental impact on the Council's interests or in any way weaken public confidence in the conduct of the Council's business.
- 9.3 Senior staff are expected to devote their whole-time service to the work of the Council and should do nothing that would impair their ability to perform their duty. They must not engage in any other business or take up any additional appointment without the express consent of their director.

## **10. Personal Interests**

- 10.1 If you or your partner or any other person with whom you have a close family or personal relationship has a financial interest in a contract, potential contract or any financial or other matter being dealt with by the Council, this must be reported in writing and without delay by you to your director who will keep a record.
- 10.2 The test for declaring such an interest must be to avoid any suspicion of impropriety. If you are in a position to influence any decisions which are taken by, or on behalf of, the Council and you have any interest in that decision, however remote, you should declare it. This might include membership of voluntary bodies, especially where they might be receiving grants.
- 10.3 Another particularly sensitive area relates to applications for planning permission. If you or your partner or any other person with whom you have a close family or personal relationship has any interest in a property for which a planning application has been made or which might be affected by an application for an adjoining or nearby property and you might be in a position to influence the consideration of that application, you should declare your interest.
- 10.4 Officers are expected to consider carefully whether their membership of, or association with, clubs, societies, political parties and other organisations, such as the Freemasons, lobbying organisations and voluntary bodies, could allow the impression to be created that their official position could be used to promote a private or personal interest. The position should be notified as set out in paragraph 10.5 below.

- 10.5 A central register of the external interests of senior staff (Band 6 and above) will be maintained by the relevant director, with access limited to an individual's director and the Managing Director and to the leaders of the political groups and committee chairmen.

## **11. Gifts and Hospitality**

### Gifts

- 11.1 The acceptance of gifts and hospitality (including sponsorship of a Council activity) must be treated with extreme caution.
- 11.2 You should not accept any gifts and hospitality where this could be perceived as influencing the Council's relationship with any third party.
- 11.3 Other than items of small value, such as business diaries, calendars, flowers, confectionery or conventional seasonal tips, you should not accept gifts. You must return any gift which is not acceptable within this definition. If you feel that the return of the gift might cause offence, you should contact your director who will determine the appropriate course of action.
- 11.4 Each directorate will maintain a register to record all cases under paragraph 11.3 above of gifts over a value of £25 and this will be available for inspection when required by the Managing Director and Monitoring Officer.

### Hospitality

- 11.5 As a general rule, attendance in an official capacity at a function organised by a public authority or body or by a charitable or non-profit-making organisation is acceptable. Similarly, attendance at a function attended by the Mayor or Deputy Mayor in his or her official capacity (for example the opening of premises, special anniversary functions etc.) at which you are also an official guest is acceptable.
- 11.6 Limited hospitality in the form of a meal or refreshments is also a normal courtesy of a business relationship and is acceptable. However, you must not allow such hospitality to reach a level whereby it could be seen by others to have influenced a business decision and you must not be entertained if you believe that an offer has been made with a view to exerting influence or to improve the standing of a private individual or firm in relation to current or future dealings with the Council.
- 11.7 As a further guide, a modest lunch taken in the context of a business meeting is acceptable, but entertainment outside the context of the business day (for example entertainment and/or invitations to sporting events, country houses and other leisure activities) is not, unless it is for charity fundraising.
- 11.8 If you are ever in any doubt as to what is or is not acceptable in terms of hospitality, the offer should be declined.
- 11.9 You must notify your director of all hospitality received over a value of £25, except where attending as in paragraph 11.5 above. Directorates will keep a register to record all such cases and this will be available for inspection when required by the Managing Director and Monitoring Officer.

### Preferential rates and treatment

- 11.10 You must not seek or accept preferential rates or treatment from any person, company or other organisation by virtue only of your employment with the Council.
- 11.11 You must not seek or accept any preferential rates or treatment in respect of the use of any Council-owned facility, unless such preferential rates or treatment have been specified and agreed by the Council.

### **12. Sponsorship**

- 12.1 Where an outside organisation wishes to sponsor or is asked to sponsor a 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 (i.e. contractors who could bid for Council work).
- 12.2 Where the Council 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 your director of any such interest. Similarly, where the Council through sponsorship, grant aid, financial or other means, gives support in the community, you should ensure that impartial advice is given and that there is no conflict of interest involved.

### **13. Equality and health and safety issues**

- 13.1 You must ensure compliance with policies relating to equality issues. All members of the local community, customers and other staff have a right to be treated with fairness and equality.
- 13.2 You must ensure compliance with policies relating to health and safety issues.

### **14. Information technology**

- 14.1 You must comply with policies relating to the use and security of the Council's computer systems.

### **15. Breach of code of conduct**

- 15.1 Any breach of the code of conduct may be regarded as a disciplinary offence.