

9. Employee Code of Conduct

Introduction

Island residents, visitors to the Island and service users expect to receive the highest standards of loyalty, integrity and capability from officers of the council. The purpose of this code is to clearly set out what these standards are for employees' benefit and how the council undertakes to apply it consistently and fairly. It is the responsibility of employees to work in accordance with this code and managers' responsibility to ensure that the code is fairly and consistently applied.

The code sits alongside all other council policies and outlines standards for employees to follow in their day-to-day work. The code reproduces points of principle which have applied in local government for very many years but it also deals with challenges that employees might well face.

The code has been prepared with the intention of setting down the basic rules and principles that govern the way employees should work and to build on the National Code of Conduct for Local Government Employees, embracing the Nolan Committee's seven principles of public life.

This code also explains how employees are expected to deal with conflicts of interest, confidential matters and offers of gifts or hospitality and, where necessary, examples and explanations have been given, however it is important to note that this is not an exhaustive list.

If employees breach this code they may be subject to disciplinary action and in the event of a serious breach, dismissal may occur.

Standards

Local Government is justifiably proud of its high standards of official conduct and is committed to them being maintained. Employees have a part to play in ensuring that these high standards continue to be met. Employees are expected to give the highest possible standard of service to the public and service users. This includes, where it is part of their duties, providing appropriate advice to councillors and fellow employees with impartiality.

It is recognised that employees may be a resident of the Isle of Wight as well. However, they need to be aware that the actions they take as a resident could potentially be seen as acting against the council. Actions which have the potential to bring the council (their employer) into disrepute, to harm public perception or cause reputational damage to the council will be dealt with through the appropriate procedure.

Through agreed procedures and without fear of recrimination, employees are expected to bring to the attention of their immediate line manager any impropriety or breach of procedure. Further guidance can be found via the Whistleblowing at Work Policy. If for any reason employees do not feel it is appropriate to express their concern to their immediate line manager, they should inform either their manager's manager, or the Monitoring Officer. They should not feel afraid to express their concerns as these will be treated confidentially and they will not be penalised in any way.

Dress attire is recognised to be service area/position specific given the varying nature of the roles throughout the council. Any 'dress codes/ requirements' should be confirmed via employees' service manager and must be Health and Safety compliant (where applicable).

Disclosure of Information and Confidentiality

Employees of the council must not use any information obtained or created in the course of their employment for personal gain or benefit, nor shall they pass it on to others who might use it in such a way. Unauthorised disclosure is a serious breach of trust between employees and the council. Any inappropriate use of information in this manner may constitute a criminal offence which would be referred to the police and/or the appropriate policy. If employees are unsure of what they can or can't do with information that they are processing, they should seek the advice of their manager or the Corporate Information Unit.

The ownership of material that benefits from copyright created during the course of employees' employment will belong to the Isle of Wight Council unless there is an express written agreement to the contrary. Any infringement of material which belongs to the council will be pursued through the civil or criminal courts.

The law requires that certain types of information must be available to elected councillors, auditors, government departments, service users and the public. Under the Local Government Act 1972, the public have the right to access certain information. In most circumstances, these rights are related to committee reports and background documents. However, certain information within the committee process is not public, including confidential information as defined by the Act and information exempted by virtue of schedule 12A of the same Act. Any confidential information or exempted information should only be disclosed where required to do so by law or with consent of the Monitoring Officer. In addition, the council is obliged by law and in accordance with its Access to Information rules (see Part 5 Section 2) to ensure that information is available upon request subject to limited exemptions. Employees must also ensure they provide appropriate access and security of information that the Isle of Wight Council holds.

Employees may only talk to the press or media if they are authorised to do so as part of their duties and responsibilities, or otherwise make public statements on behalf of their service. Generally, if they are contacted by the press or media, they should inform their line manager or a senior manager and refer the matter to the Communications Team who will deal with it appropriately.

Former employees of the Isle of Wight Council shall not divulge any council information obtained in the course of their employment to any third party except where required by law to do so. This is taken extremely seriously as a serious breach of trust and confidence.

Political Neutrality and Activity

Employees serve the council as a whole. It follows, therefore, that they must serve all elected councillors, not just elected councillors of the controlling group, and must ensure that the individual rights of all elected councillors are respected.

In some instances, if they are a senior employee, they may be expected to advise political groups in an official capacity but they should not do so without the knowledge and consent of their line manager.

Employees are not eligible to stand for office as a member of the Isle of Wight Council. Involvement in parish council activities is not precluded provided they complete an additional employment form; their line manager gives them permission; and any conflict of interest is declared to the Strategic Manager. If their post has been assessed as being politically restricted, they are prevented from taking part in certain political activities outside their work, of which they would have received formal confirmation from Human Resources where this applies. If they have

any doubt about their position they should contact their line manager. The political activities which are restricted for these posts mainly cover the following areas:

- (a) Standing as a candidate for election to the House of Commons, the European Parliament, or a Local Authority (other than a parish council).
- (b) Holding office with a political party, or a committee or sub-committee member of a party.
- (c) Canvassing at an election.
- (d) Speaking in public or publishing any written or artistic work which appears to be intended to affect public support for a political party.

If employees are in any doubt about whether any activity is political activity and covered by these rules they should seek advice from their line manager or the Monitoring Officer.

Whether or not their post is politically restricted, they must follow all policies of the council and must not allow their own personal or political feelings interfere with their work.

Relationships

Elected Councillors

Employees should ensure that they comply with the Protocol for Member/Officer Relations (see Part 5 Section 8). They may be required to give advice to elected councillors as part of their job. Mutual respect between employees and elected councillors is essential to good local government, but close personal familiarity between employees and individual elected councillors, which goes beyond mere acquaintance can damage the relationship, prove embarrassing to other elected councillors and other employees and should therefore be avoided. If employees have previously had or currently have a relationship in a private or domestic capacity with any elected councillor, they must declare that relationship in writing to their line manager. Further information can be found via the council's register of employee's personal interests.

The Local Community and Service Users

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

Contractors

All relationships with contractors or potential contractors must be made known to the appropriate manager. Orders and contracts must be awarded on merit, by fair competition and no favouritism should be shown to businesses run by, for example, friends, partners or relatives. If employees have such an interest they must not be involved in any way in placing orders or awarding any work.

If employees engage or supervise contractors as part of their duties, or have an official relationship with contractors and have previously had or currently have a relationship in a private or business capacity, they must declare that relationship in writing to the appropriate manager and ensure they comply with the council's register of employee's personal interests.

Appointment and Other Employment Matters

If employees are involved in the appointment of staff, they must ensure that these are made on the basis of merit. It would be unlawful for employees to make an appointment which was based on anything other than the ability of the candidate to undertake the work. In order to avoid any bias,

employees must not be involved in an appointment where they are related to an applicant, or have a business or personal relationship outside work with them. Similarly, employees must not canvass on behalf of any applicant.

Employees must not line manage nor be involved in decisions related to the appointment, informal/formal discipline, grievance, capability proceedings, promotion or pay adjustments for any other employee who is a 'close associate' – this includes a family member or friend. A family member could include, but is not limited to:

- Husband/Wife/Partner
- Parent
- In-laws
- Niece/Nephew
- Step-relations
- Son/Daughter
- Sibling
- Aunt/Uncle
- Cousin
- Grandparents

Outside Commitments and Personal/Business Interests

Employees must ensure that they have read and comply with the council's register of employees' personal interests. They must declare their membership or personal relationship involving any organisation that is not open to the public without formal membership and commitment of allegiance and which has secrecy about its rules for membership or conduct.

Employees must ensure that any work carried out outside of their role in the council, whether it is paid, unpaid or voluntary, is declared through the additional employment form which can be found in the Additional Employment Policy and should be discussed and agreed with their line manager before accepting such work.

Further information regarding outside commitments and personal/business interests can be found via the Additional Employment Policy.

Equality

Employees have an obligation to ensure that policies relating to equality are agreed by the council are complied with in conjunction with the requirement of the law. All members of the local community, customers and colleagues, have a right to be treated with fairness, dignity, equity and respect. Further guidance on equality can be found via the Equality Policy Statement and Guidance.

Separation of Roles during Tendering

Employees should comply with the council's procurement code and be clear on the separation of client and contractor roles within the council. If they are a senior employee who has both a client and contractor responsibility, they must be aware of the need for accountability and openness.

If employees are in contractor or provider units, they must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors and must not show any favouritism.

If employees are privy to confidential information on tenders or costs for either internal or external contractors, they must not disclose that information to any unauthorised party or organisation.

Corruption

It is potentially unlawful for employees to receive any reward or fee other than the pay and benefits that they are entitled to under their contract of employment. It is a criminal offence for employees 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 their official capacity. Employees should ensure compliance with the council's Counter-Fraud and Corruption Strategy at all times.

Use of Financial Resources

Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner, and in accordance with the council's Financial Regulations and Anti-Money Laundering Policy.

Gifts and Hospitality

Employees must read and comply with the council's Gifts and Hospitality Guidance which forms part of the council's Constitution.

Sponsorship by Giving and Receiving

Where an outside organisation wishes to sponsor or is sought to sponsor a local government activity, whether by invitation, tender, negotiation or voluntary, basic conventions concerning acceptance of gifts or hospitality apply. Employees must take particular care when dealing with contractors or potential contractors.

Where the council wishes to sponsor an event or service, employees or any partner, spouse or relative must not benefit from such sponsorship without there being full disclosure to their line manager of any such interests. Similarly, where the council, through sponsorship, grant aid, financial or other means, gives support in the community, employees must ensure that impartial advice is given and that there is no conflict of interest involved.