

Appendix 1
SOMERSET COUNTY COUNCIL
OFFICERS' CODE OF CONDUCT

1. Introduction and Interpretation

- 1.1 This Code of Conduct applies to all employees (except school staff who are subject to their own requirements) with a contract of employment with Somerset County Council, and includes permanent, temporary, part-time, casual and agency staff. It explains in practical terms the standards of behaviour required under the law and by the Council.
- 1.2 This Code gives employees guidance on how the County Council expects them to behave. By complying with the requirements of the Code staff will avoid finding themselves in a situation where their conduct could create an impression of conflict of interest or corruption in the minds of the public. If staff are unsure of the standards expected of them guidance should be sought from their Director or, in the case of Directors, the Chief Executive.
- 1.2 As an officer of the Council you must comply with this Code when undertaking the responsibilities of your post. Failure to abide by the requirements of the Code will be a disciplinary offence.
- 1.3 This Code is based upon the *seven principles of public life* set out and explained in the Appendix. They are listed in brief below. These principles underpin this Code, apply to all aspects of public life and therefore to you as a Council employee.
- 1.4 You must display the following behaviours through the course of their work:
- Selflessness;
 - Integrity;
 - Objectivity;
 - Accountability;
 - Openness; and
 - Honesty.
- 1.5 The areas covered by this Code are:
- Status of the Code
 - The Council's Constitution
 - Standards and Accountability
 - Confidentiality and Openness
 - Proper Use of Council Resources
 - Political Neutrality
 - Relationships

- Appointments
- Other Employments
- Intellectual Property
- Equal Opportunities and Human Rights
- Health and Safety
- Leaving the Council
- Personal Interests
- Procurement and Partnering Arrangements
- Gifts and Hospitality
- Investigations by the Council's Monitoring Officer
- Review of the Code

2. Status of the Code

- 2.1 The Code sets out the main standards that apply to officers' conduct. It is Council policy (most recently agreed by the Council on [date to be inserted]) and is a public document contained within Part 2 of the Constitution. More detail on the requirements is contained within the 'Standards of Conduct' documentation on the Council's Intranet site.
- 2.2 The rules often set a higher standard than might be set in the private sector. All up to date policies and protocols which provide more detail are indicated in *italics* after each section and can be found on the Council's intranet. The contents of the Code may be supplemented and clarified by service guidance.
- 2.3 This Code supplements, and does not replace, any code or recognised standards of conduct of any professional body of which you might be a member.

3. The Council's Constitution

- 3.1 The [Constitution](#) is a formal document that contains the Council's powers and duties. The Council must act within the confines of the Constitution and the law; otherwise it will be acting *ultra vires*, that is, beyond the scope of its legal power or authority. It is a useful reference document for all matters relating to the composition of the Council, rules about members, committee meetings and treatment of information, financial and procurement procedures and other issues of relevance to officers.

4. Standards and accountability

- 4.1 You must undertake your Council duties with honesty, integrity, impartiality and objectivity.

- 4.2 You are accountable to the Council for your actions when undertaking Council business and must abide by the requirements of Council policies, protocols and procedures.
- 4.3 You have a duty to optimise the performance and operation of the Council. You must report to your manager or senior officer any impropriety, breach of procedure, or deficiency in the provision of Council services.
- 4.4 You must not act in ways that will bring the Council into disrepute or harm its reputation.

5. Confidentiality and openness

- 5.1 You should act on the presumption that open government in terms of the provision of information is the Council's policy.
- 5.2 You must not prevent another person from gaining access to information to which that person is entitled by law.
- 5.3 However, you must not use any confidential information to which you have access at work for personal gain or benefit or pass it on to others who might use it in this way.

6. Proper Use of Council Resources

- 6.1 You must only use County Council funds, resources and facilities where you are authorised to do so. Such resources must be used to the best advantage of the County Council and the community they serve, always trying to ensure value for money for the local taxpayer.

7. Political Neutrality

- 7.1 You must act in a politically neutral manner when undertaking Council business. You serve the whole Council and all Council Members.
- 7.2 Certain posts are politically restricted and if your post falls into the relevant categories you must not participate in any formal political activity. Such posts fall into two categories: specified posts (mostly at Chief Officer level) and sensitive posts (eg, posts which involve giving advice on a regular basis to committees or elected members) – for further details including the full list of specified posts see the 'Standards of Conduct' on the Intranet site.

8. Relationships

- 8.1 You must conduct yourself in an exemplary manner in all aspects of your work and relationships with members, officers, the public and representatives of other organisations.

9. Appointments

- 9.1 If you are involved in staff appointments you must ensure that appointments are made on merit and in accordance with the County Council's policies and procedures.

10. Other employments

- 10.1 You should not engage in outside employment which conflicts with your County Council work or would be detrimental to it.

11. Intellectual Property

- 11.1 All creative designs, writings, drawings and inventions ("intellectual property") you produce or have access to as part of your employment is the property of the Council. Therefore, you must not use this material for any other purpose than for work unless otherwise agreed in writing by the Council even after you leave the employment of the Council.

12. Equal Opportunities and Human Rights

- 12.1 You must comply with the Equality Act 2010 and the Council's equal opportunities policy and treat all members of the public, elected members and fellow employees with respect and fairness.
- 12.2 You must also comply with the requirements of the Human Rights Act 1998 and ensure that service decisions and Council actions take account of a person's basic human rights such as the right to privacy and family life, the right to a fair hearing and the right not to suffer degrading treatment.

13. Health and safety

- 13.1 You must be aware of, and fulfil, your legal responsibility to protect your own and others health and safety at work. This includes being aware of and complying with corporate policy requirements and departmental or sectional health and safety guidance.

14. Leaving the Council

- 14.1 After you leave the Council, you have an on-going duty not to disclose the Council's 'trade secrets', personal data relating to others or exempt/confidential information that you have acquired in your work at the Council.

15. Personal interests

15.1 You must declare to your line manager and SLT Director as soon as they become aware of any personal interest which you (or your *family members* or *close associates* [for definitions see 'Standards of Conduct' on the Intranet]) have which may conflict or may reasonably be perceived to conflict with the business and/or interests of the Council. You must register interests via the [personal interests](#) form on the Intranet site.

15.2 Personal interests may, but not exclusively, relate to financial, or property matters.

16. Procurement & Partnering Arrangements

16.1 If you procure or manage Council contracts, you must comply with the Council's policies and procedures and display honesty, fairness, integrity and impartiality at all stages of the process. Above all, you must ensure that contracts are awarded on merit.

16.2 If you are participating in a partnership arrangement between the Council and another organisation it is your responsibility to act within the authority given to you by the Council.

17. Gifts and Hospitality

17.1 You must declare to the Council and register any offer of a gift (including bequests and legacies), hospitality or sponsorship that you receive where the value is £25 or more (actual or estimated) and irrespective of whether you accept or decline it.

17.2 It is your personal responsibility to declare and register an offer and this must be done as soon as reasonably practicable and within 28 days of receipt. You must register offers on the on-line form available at [Register of Gifts and Hospitality](#).

17.3 It is also your personal responsibility to notify HM Revenues and Customs (HMRC) of a gift or hospitality provided by a 3rd party **and of any value**, if it is in recognition, or anticipation, of services performed.

17.4 if you have been offered a legacy in a will from services provided under your employment you must get the formal approval of your Senior Leadership Team Manager and the Monitoring Officer before accepting it.

18. Investigations by the Council's Monitoring Officer

- 18.1 You must assist and co-operate fully with the Council's Monitoring Officer where the Monitoring Officer is either carrying out an:
- enquiry or investigation about the lawfulness of the Council's actions under Section 5 of the Local Government and Housing Act 1989; or
 - investigation into a complaint against a member that has been referred to the Monitoring Officer under Section 28 of the Localism Act 2011

19. Review of the Code

- 19.1 The Monitoring Officer will regularly review this Code to ensure that it continues to be effective and up to date. Any amendments to the Code are the responsibility of the Constitution and Standards Committee on the advice and recommendation of the Monitoring Officer.

APPENDIX A

THE SEVEN PRINCIPLES OF PUBLIC LIFE

Preamble: The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, NDPBs, and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public services. The principles also have application to all those in other sectors delivering public services.

SELFLESSNESS

Holders of public office should act solely in terms of the public interest.

INTEGRITY

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

OBJECTIVITY

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

ACCOUNTABILITY

Holders of public office are accountable to the public for their decisions and actions and must admit themselves to the scrutiny necessary to ensure this.

OPENNESS

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

HONESTY

Holders of public office should be truthful.

LEADERSHIP

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.