

Employee Code of Conduct

1. Standards

1.1 Where the Council or its officers are dealing with a matter in which an Employee has a private interest, either pecuniary or otherwise, he/she should declare that interest in writing to his/her Head of Function/Director who will decide whether or not the interest is of such a nature that it needs to be brought to the attention of the Executive officer who is dealing with it.

1.2 Somerset West and Taunton Council 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. Employees must not conduct themselves in a manner which could reasonably be regarded as bringing the Council into disrepute

1.3 Employees 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. Employees must report to their Line Manager or Head of Function/Director any impropriety or breach of procedure. Serious breaches should be reported as set in the Council's Whistle Blowing Policy.

2. Disclosure of Information

2.1 Somerset West and Taunton Council believes that open government is best. Certain types of information are required by law to be made available to members, auditors, government departments, service users and the public. Other types of information, particularly that containing confidential or personal information may not be disclosed unless there is specific authorisation to do so. It is the responsibility of chief officers and managers to ensure that all employees can differentiate between that information which may be disclosed and that which may not.

2.2 Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way.

2.3 Any personal information about another member of staff or Councillor should not be divulged without that person's prior approval, except where such disclosure is required or sanctioned by the law.

3. Political Neutrality

3.1 Employees serve the Council as a whole. It follows, therefore, that they must serve all Councillors and not just those of the controlling group and must ensure that the individual rights of all Councillors are respected.

3.2 It is Somerset West and Taunton Council practice that officers (other than chief officers) should not be required to advise political groups. In the rare event of an employee being asked to undertake such an activity they must do so in a manner, which does not compromise their political neutrality. Employees should also seek the Chief Executive's approval prior to attending such a group meeting.

3.3 Employees, whether or not politically restricted, must follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work.

4. Relationships

4.1 Councillors

Employees are responsible to the Council through its senior managers. For some, their role is to give advice to Councillors and senior managers, and all are there to carry out the Council's work. Mutual respect between employees and Councillors is essential to good local government. Close personal familiarity between employees and individual Councillors can damage the relationship and prove embarrassing to other employees and Councillors and should therefore be avoided.

4.2 The Local Community and Service Users

Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of this Council.

4.3 Contractors

All relationships of a business or private nature with external contractors, or potential contractors, should be made known to an Employee's Head of Function/Director. Orders and contracts must be awarded on merit, by fair competition against other tenders, in accordance with the Council's Contracts Procedure Rules and 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.

Employees who 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, should declare that relationship to their Service Manager or Head of Function or Director.

4.4 Colleagues

Employees 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.

5. Appointment and Other Employment Matters

5.1 Employees likely to be involved in appointments must ensure that they have attended the Council's recruitment and selection training course prior to making any appointments. All appointments must be 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, employees should not be involved in an appointment where they are related to an applicant or have a close personal relationship outside work with him or her.

5.2 Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner etc.

6. Outside Commitments

6.1 Senior employees are not permitted to undertake any employment outside the Council especially where this may conflict with the Council's interests. Any employee wishing to undertake other employment must obtain written consent before doing so.

7. Personal Interests

7.1 Employees must declare to their Line Manager in writing any non-financial interests that they consider could bring about conflict with the Council's interests.

7.2 Employees must declare to their Head of Function or Director in writing if they have, or if a person with whom they 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.

7.3 Employees who are in debt as a customer to the Council, i.e. Council Tax arrears should declare this to their Head of Function or Director (this does not include payroll debts or approved money owed to the Council, such as car loans, cycle saver scheme etc.). All debts must be declared even if a repayment plan is already in place.

7.4 Where the employee is in a role which involves collecting money or debts owed to the Council or advising customers about meeting payments or other financial obligations this must also be reported to the Section 151 Officer by their Head of Function or Director.

7.5 The circumstances set out in 7.4 above will require the employee to enter into an agreement with the Council for the repayment of all sums owing to the Council as such circumstances may involve a conflict of interest.

7.6 Employees should declare to their Line Manager membership of any organisation not open to the public, such as Freemasonry.

8. Equality Issues

8.1 All employees should ensure that policies relating to equality issues as agreed by this Council are complied with in addition to the requirements of the law. All members of the local community, customers and other employees, irrespective of their age, race, gender, marital status, sexuality and ability, have a right to be treated with fairness and equity.

9. Health and Safety

9.1 The Health and Safety at Work Act 1974 places personal responsibility upon all employees to ensure the health and safety of themselves, colleagues and visitors to the Authority's buildings. All employees should ensure that they are aware of and comply with the provisions of the Act and the Authority's own policy. Employees should also alert their manager or Health and Safety Committee representative of any situation that is likely to cause a risk to health and safety.

10. Separation of Roles During Tendering

10.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the Authority. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.

10.2 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and subcontractors.

10.3 Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.

10.4 Employees contemplating a management buy-out should, as soon as they have formed a definite intent, inform the appropriate Head of Function or Director and withdraw from the contract awarding process.

10.5 Employees should ensure that no special favour is shown to current or recent former employees 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.

11. Gifts and Hospitality

11.1 Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the local Council 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 Council should be seen to be represented. They should be properly authorised and recorded within the gifts and hospitality book held by the Monitoring Officer.

11.2 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.

11.3 Employees should not accept significant personal gifts from contractors or outside suppliers, although the Council would allow employees to keep small items of token value such as pens, diaries etc providing there was no apparent ulterior motive nor any danger of misinterpretation by the public. In any event all gifts and hospitality of £25 and over must be registered in the gifts and hospitality book.

11.4 When receiving authorised hospitality employees should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality.

12. Corruption

12.1 Employees must be aware that it is a serious criminal offence for them to corruptly 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. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained

12.2 Employees must refuse an offer of a gift from any person engaged in negotiating a contract or other matter with the Council, or who has negotiated such a matter and the employee is directly responsible for formulating recommendations to the Council or for monitoring the service received from the person concerned.

12.3 Any employee who is pestered or harassed into accepting gifts or other incentives must inform their Line Manager or the Council's Monitoring Officer immediately.

13. Use of Council Resources

13.1 Employees must 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 legal challenge to the Authority.

13.2 Any intellectual property, such as inventions, creative writing and drawings, created during an employee's contractual hours of employment, belongs to Somerset West and Taunton Council. Employees wishing to use such intellectual property for purposes outside the Council or for obtaining copyright should seek written permission from their Line Manager or where appropriate their Head of Function or Director, in liaison with the Monitoring Officer

14. Sponsorship - Giving and Receiving

14.1 Where an outside organisation wishes to sponsor or is seeking 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.

14.2 Where the Council wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager 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.

15. Bequests

15.1 Employees should actively discourage clients from bequeathing property, money or other items to them. Where an employee becomes aware that a client intends to bequeath something to them, they must inform their Line Manager immediately. Wherever possible bequests should be declined, either directly to the Client or to the Solicitor responsible for the will.

15.2 Where it is too late to decline a bequest or to do so would cause undue offence, the employee must submit all relevant details to their Head of Function or Director who will authorise the employees to accept/retain the bequeathed items only if they are satisfied that no undue influence has been exerted on the Client by the employee. A record of this authorisation will be held by the Council's Monitoring Officer. Any allegation that undue influence has been brought to bear will be investigated and, if proven, will be treated as gross misconduct under the Council's Disciplinary Procedure.

16. Compliance with Council Policies

16.1 Employees must comply with all current Council including those included/referred to in the Employee Handbook and those relating to the use and security of the Council's computer systems.