

SELBY DISTRICT COUNCIL CODE OF CONDUCT FOR OFFICERS

1. Standards

Employees of Selby District Council 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 will be expected to bring any impropriety or breach of procedure to the attention of the appropriate line manager. Such information will be treated in the strictest confidence.

Employees should:

- Accept responsibility for their own professional actions and behaviours;
- Establish, maintain and develop business relationships based on confidence, trust and respect; and
- Safeguard all confidential, commercially sensitive and personal data acquired as a result of business relationships.

2. Disclosure

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. Employees should make themselves aware of which information at the Council is open and which is not and act accordingly, particularly relating to Committee/Board meetings.

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. Any particular information received by an employee from a Councillor which is personal to that Councillor and does not belong to the Council, should not be divulged by the employee without the prior approval of that Councillor, except where such disclosure is required or sanctioned by the law.

3. Political Neutrality

Employees serve the Council as a whole. It follows 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.

Where employees are required to advise political groups, they must do so in ways which do not compromise their political neutrality. Both employees and Councillors should be aware of this requirement.

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

The political activities of certain post holders are restricted due to the seniority, or political sensitivity of the post. Details of these restrictions are incorporated into

individual contracts of employment. A list of politically restricted posts is detailed on the last page of this document.

4. Private Purchasing

Employees must not use the Council's purchasing systems to purchase items for private use or to secure personal advantage. Employees are not entitled to receive any discount or advantage as a result of their employment with the Council unless this is expressly permitted by the Council, for example through corporate employee discount or voluntary benefit schemes which have been agreed for all employees.

5. Relationships

Councillors

Employees are responsible to the Council through its senior managers. 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.

Local Community and Service Users

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

Contractors

All relationships of a business or private nature with external contractors or potential contractors should be made known to the appropriate senior manager. Orders and contracts must be awarded on merit by fair competition against other tenders and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. 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 the appropriate senior management.

6. Appointment and Other Employment Matters

As set out in the Council's recruitment and selection manual, employees involved in appointments should ensure that these are made on the basis of merit. 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.

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

7. Outside Commitments

Employee's off duty hours are their own concern but they should not subordinate their duty to their private interests or put themselves in the position where their duty and private interests conflict.

Employees whose grades include Senior Officer level (band 3a) or above may not engage in any other business or take up any other additional appointment without the express consent of the Council. Such consent is obtained through formal application to the appropriate senior manager.

No outside work of any sort should be undertaken in the office and the use of facilities (computers, laptops, telephones etc.) is forbidden.

8. Personal Interests

Employee must declare, to their line manager, where the appropriate statements are true:

- Any non-financial interests that they consider could bring about conflict with the Council's interests (e.g. member of pressure group potentially opposed to the Council's work).
- Any financial interests which could conflict with the Council's interests.

Employees should also declare to the Council, via the Chief Executive, membership of any secret societies. The definition of "secret society" is as follows:

Any lodge, chapter, society, trust or regular gathering or meeting which:

- is not open to members of the public who are not members of that lodge, chapter, society or trust.
- Includes, in the grant of membership, a requirement on the part of the member to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, trust, gathering or meeting and;
- includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

Employees should notify the Chief Executive in writing of such membership.

9. Equality Issues

Employees must ensure that they treat colleagues, service users, members of the public and Councillors fairly, impartially and with dignity and respect. Language and behaviour in the workplace must be conducive to productive and harmonious relationships

Employees should apply the provisions of the Council's Equal Opportunity policies in all activities. All members of the local community, customers and other employees have a right to be treated with fairness and equality.

10. Separation of Roles During Tendering

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

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

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.

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 or business run by them, or employing them in a senior or relevant managerial capacity.

11. Corruption

Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift loan, fee, reward or advantage for 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. Use of Financial Resources

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 Council.

13. Hospitality

Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the 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. It should be properly authorised and recorded. The Chief Executive will obtain authority from the Chairman of the Policy and Finance Committee and all other officers will refer to the Chief Executive.

When hospitality has to be declined, the person who offers the hospitality should be courteously but firmly informed of the Council's procedures and standards.

Employees should not accept significant personal gifts from contractors and outside suppliers, although the employees may use their judgement to accept insignificant items such as pens, diaries etc.

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.

Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the Council gives consent in advance and where the Council is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment etc. are required, employees should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

14. Sponsorship

Where an outside organisation wishes to sponsor or is seeking to sponsor a Local Government activity, either by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance or gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Where the Council wishes to sponsor an event or service, neither an employee nor any partner, spouse or relative must benefit from such a sponsorship in a direct way without there being a full disclosure to the relevant senior 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 there is no conflict of interest involved.

15. Copyright

All records, documents and other papers relating to the Council's business which are made or obtained by employees in the course of their employment are the property of the Council. The copyright on all such original records, documents, papers (including copies and summaries thereof) belongs to the Council.

16. Private Trading

Employees are not permitted to carry out private trading in relation to goods, services, or any form of intellectual property (including the posting and distribution of private trading literature) on the Council's premises nor may they do so elsewhere whilst on Council duties.

17. Committee Procedures and Contact with the Media

Employees must not disclose to the public or media the contents of a confidential or exempt report made to a Committee or the Council. Where a Committee considers matters in confidential session, those proceedings, including all documentation before the Committee, must not be disclosed to members of the public unless required by law or expressly authorised.

Employees must not make statements on matters of policy to the media without consulting their Head of Service. They must also comply with the Protocol for staff engagement with the media.

18. Safeguarding

The Council has a statutory duty to ensure the safety and welfare of children, young people and adults at risk. All employees who, during the course of their employment, have direct or indirect contact with children or adults at risk, or who have access to information about them, have a responsibility to safeguard and promote the welfare of children and adults at risk. The Safeguarding Policy is available via the employee's manager and compliance with it is mandatory.

19. Personal Use of Social Media by Employees

Employees must not assume that their comments on social media will remain private.

Employees must ensure that, in their use of social media, they do not make comments about other employees, councillors or the Council that are or could be perceived to be derogatory, abusive, damaging to the individual's or the Council's reputation or amount to harassment, even where such comments are made outside working hours. They should be mindful that such comments could give rise to legal action.

Employees must ensure that no information is made available that could provide a person with unauthorised access to the Council's confidential information and they must refrain from recording any confidential information regarding the Council on any social networking website.

The Council will take action to prevent misuse of social networking sites as the Council as employer may be vicariously liable for the acts of an employee in certain circumstances. The Council will consider what action to take to address any malicious, untrue or otherwise inappropriate allegations which may circulate on social media sites.

20. Personal Appearance

The Council expects employees to observe a standard of personal appearance which is appropriate to the nature of the work undertaken, follows operational requirements and which portrays a professional approach which the public will have confidence in.

In order that employees can be easily identified ID badges must be worn at all times.

21. General

The sanctions against employees who breach the rules on conduct are serious, including dismissal. Where there is any doubt, employees should err on the side of caution in the areas covered in this policy. Any uncertainties about this policy should be directed to Lead Officer (Human Resources).

22. Politically Restricted Posts

Below is a list of current posts which are deemed politically restricted:

- Chief Executive
- Director of Economic Regeneration & Place
- Director of Corporate Services & Commissioning
- Solicitor to the Council
- Head of Service – Business Development & Improvement
- Head of Service – Commissioning, Contracts & Procurement
- Head of Service – Community, Partnerships & Customers
- Head of Service – Operational Services
- Head of Service – Strategic Planning, Policy & Economic Development
- Business Transformation & ICT Manager
- Communications & Marketing Manager
- Customer, Business & Revenues Service Manager
- Democratic Services Manager
- Economic Development & Regeneration Manager
- Housing & Environmental Health Service Manager
- Planning Development Manager
- Planning Policy Manager
- Property & Commercial Services Manager.

N.B. Finance staff are employees of North Yorkshire County Council and seconded to Selby District Council. Any political restrictions on those posts appear in the terms and conditions of the employment contract with North Yorkshire.

Note – In May 2017 Council gave delegated authority to the Chief Executive to make future amendments to this Code of Conduct in consultation with the Leader of Council.