



# Kessingland Parish Council

## Staff Policy & Procedure

# Employee Code of Conduct

### 1. Purpose

This Code has been drafted and published with the aim of establishing the normal standard of conduct expected of all Kessingland Parish Council employees.

Throughout this document the terms: 'The Council' refers to Kessingland Parish Council; 'The Chair' to the Chair of Kessingland Parish Council and: 'The Clerk' to the Parish Clerk of Kessingland Parish Council

This document sets out the framework to ensure that a culture of honesty and propriety is maintained throughout the Council and that high standards of conduct are sustained by all who work for the Council

This Code will form part of every employee's contract of employment and will be drawn to the attention of all employees when joining the organization, who will have to signify that they have received and read the Code.

The Council is called upon to answer to many external organisations, and the worth of the Council will often be judged by the performance and conduct of its employees. Employees will be in contact with many organisations and individuals, often in positions of influence. In these circumstances individuals should endeavour to ensure that their actions are exemplary and not subject to question.

The document consists of:

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## 2. General Code of Conduct

### 2.1 Application & Intent

All employees will receive a copy of the Council's Code of Conduct. This must be read and employees will be expected to act in accordance with the Code, which leaves no doubt as to what constitutes what is acceptable and unacceptable behaviour.

The Code of Conduct places specific prohibitions and restrictions on certain activities. The responsibility is on employees to read carefully and familiarise themselves with the Code of Conduct. Employees must be aware that any breach of these prohibitions may lead to a disciplinary hearing, as a result of which, disciplinary action may be taken.

### 2.2 Conflict of Interest, Gifts and Hospitality

Employees must always declare any actual, potential or perceived conflict of interest, in order to protect themselves and the Council from any appearance of impropriety.

### 2.3 Gifts and Entertainment

Employees should be careful about accepting gifts relating to work. Small gifts of a modest nature (such as diaries, calendars, refreshments etc) made by fellow staff and councillors, may be accepted as long as they are under £25 in value. This is also the case with freebies from conferences or meetings that are under the value of £25. Employees may accept gifts from the Council as a body which have been properly agreed and minuted. Extreme caution should be exercised where an offer of a gift is made personally to an employee from a member of the general public or a contractor. All such occurrences should be reported to the Clerk or, in the case of the Clerk, to the Chair of the council's Personnel Committee.

When a contractor, consultant or resident sends ineligible gifts to a Council officer or property, such gifts are to be returned with a polite explanation by the Parish Clerk.

Where appropriate a gift may be accepted, with the approval of the Clerk, for the benefit of a group of residents. Such gifts and their means of disposal are to be declared to the Chair and recorded in the Parish Council Minutes.

Employees should exercise discretion in offering and accepting entertainment or hospitality, which should not normally extend to anything other than a 'working' meal. They should bear in mind how acceptance affects their relations with the party offering it and how others might view it.

It would therefore normally be acceptable to offer or accept hospitality from individuals, companies or other organisations in one or more of the following circumstances:-

- a. Where the other party is a charity or other organisation which does not have any kind of vested interest in the outcome;
- b. Where a company has already been awarded a contract;
- c. If a visit, where it is genuinely instructive, rather than constituting a social function or entertainment;
- d. Where the scale and location of the hospitality is neither ostentatious nor extravagant, and falls within working hours;
- e. Where hospitality is neither regular, nor frequent.

If an employee is in any doubt as to whether an invitation should be accepted advice should be sought beforehand from their line manager or the Chair of the Council.

The level of hospitality offered or accepted will obviously vary according to the circumstances of each situation, but in all cases, employees should be able to justify that the hospitality given/received is in the interest of the community and the Council as a whole.

## 2.4 Private Use of Consultants of Contractors

Employees must not gain special advantage by virtue of their position within the Council. This could apply where they use the services of a consultant, contractor, professional advisor or other individual or firm which also works for the council. Where an employee wishes to use the services of any such body or individual, prior written authority must be sought via either their line manager or the Chair, who will be required to satisfy themselves that no special advantage will be gained.

## 2.5 Relationships

Employees must disclose any relationship they have with contractors, consultants, suppliers, etc., or any relationship which arises directly, or indirectly, via members of their immediate family, through organisations, clubs, associations etc., of which they are members.

The application form for employment with the organisation requires applicants to declare any relationship to a Councillor or committee member or to a member of staff. Failure to declare such a relationship may result in dismissal or the withdrawal of an offer of employment.

## 2.6 General Confidentiality and 'Commercial in Confidence'

Employees will, in the course of their duties, obtain information which is confidential. They must never pass on any information received or obtained through their employment to anyone who is not entitled to have that information.

This includes information about the work of the Council, its residents, contractors, consultants or its employees. It is a breach of trust to disclose such information to any unauthorised person, or for information to be used by anyone

for personal advantage. Such a breach will be viewed seriously and may result in a formal disciplinary hearing, the result of which may be disciplinary action. If there is any doubt about who is authorised to receive information the employee should consult their line manager for advice.

Over and above this agreed level of confidentiality, employees may have access to information which would be of pecuniary interest to others.

Employees are prohibited from disclosing this information to a third party or to use the information for any purpose other than those which you are directed to by the Council.

Employees should not misuse their position by seeking information, which they do not need to know to enable them to carry out their duties.

Examples of a breach of confidence would include:

- a. An unauthorised disclosure of information in connection with the above whether with colleagues or outsiders which may be misconstrued and quoted;
- b. Exploitation of confidential information for personal gain, e.g., where an employee buys land or encourages others to do so because he/she knows through work that its value is likely to increase;
- c. Premature and/or unauthorised disclosure to third parties of policy proposals, with the object of generating adverse publicity, e.g., to the press or interest groups.

## 2.7 Provision of Service to Residents, Applicants and Others

Employees should be professional and courteous, always acting in an efficient and impartial manner, when dealing with colleagues, staff, residents, applicants and other stakeholders. In order to avoid any potentially discriminatory actions, the needs of such groups should always be assessed impartially and professionally without personal prejudice.

## 2.8 Publications and dealing with the Media

Employees must not publish any material, which comments on the activities, policies, etc. of the Council without prior approval of their line manager or the Chairman of the Council unless it is part of their job role to so do.

Where an employee wishes to publish an article unconnected with the Council, then the articles must not link the employee to the organisation.

## 2.9 Equipment and Materials

Employees must not use the equipment and premises of the Council for unauthorised purposes without permission of their line manager.

## 2.10 Other Employment, Membership of Committee and Public Service

Employees must exercise discretion in their external activities where these may conflict with those of the Council. If, in this context, an employee wishes to partake in other employment (paid or unpaid), serve as a committee member or perform public service duties, they must seek the approval of their line manager, who will determine whether such activities are compatible with the employee's job within the Council. The line manager will seek advice from the Chairman of the Council, who will confirm their decision in writing. Employees must always avoid engaging in outside activities that could bring the Council into disrepute or adversely impact on their work and/or contribution to the organisation.

Employees are not required to declare trade union membership or activity as this is protected separately under employment legislation [Employment Relations Act 1999(1) (a)]

## 2.11 Equal Opportunities

The Council is committed to the promotion and implementation of equal opportunities both internally and externally.

The Council expects all its employees to accept the duty it imposes upon itself not to discriminate, either in employment practices or in the provision of facilities and services by reference to race, colour, ethnic or national origin, religion, creed, gender, sexual orientation, disability, appearance, age or marital status. This does not preclude the provision of specialist schemes, facilities or services for specifically identified groups.

Any complaint of discrimination, harassment or breach of equal opportunities policy will be taken seriously and will be the subject of a thorough enquiry. If the enquiry establishes that there is a prima facie case, then a formal disciplinary hearing will be held. The employee against whom the complaint is made will be notified of the complaint and be given the opportunity to present his/her interpretation of the events. The employee concerned will be reminded that serious breaches of the Equal Opportunities Policy constitute an act of gross misconduct.

## 3. General Rules

In addition to the general Code of Conduct there are a number of other rules which must be followed. These rules have been drafted to ensure employees know what is required of them and have the aim of avoiding misunderstandings. These rules and the general Code of Conduct are necessary because every organisation must establish its own standard of conduct, behaviour, etc. They have been drawn up and published so that all employees can be made aware of their existence and to ensure that they are treated fairly.

These rules indicate what action an employee must take in defined cases. Where employees act in a way, which is contrary to the rules, or omits to follow the rules, then

their manager will investigate the reasons for their conduct and advise them of the need to follow the rules. Where the breach appears to be serious then a disciplinary hearing may be held.

### 3.1 Attendance

Employees will, on appointment, receive a written statement of the main terms and conditions of their employment with the Council. This will define their contractual hours for the days on which they should attend. It will also provide for an unpaid lunch break, where appropriate. It is expected that employees will be available for work during these hours and that they will record their arrival, departure, and breaks taken. In considering the needs of personal circumstances such as religious observance, the Council will negotiate variations to the standard hours of work that continue to meet its operational requirements.

### 3.2 Poor Timekeeping

Having established the standards for arrival and departure times, it is recognised that on occasions unforeseen difficulties arise which stop an employee arriving on time or which necessitates an early departure. The above rules will be applied fairly and consistently and managers will take account of individual circumstances and the frequency of their occurrence. However, any regularity in late arrival or early departure will be viewed as unacceptable.

### 3.3 Sickness Absence

Where an employee is unable to attend for work due to ill health then he/she must notify his/her line manager by the time stated in the sickness procedure as to the nature of their absence. The notification must be made to The Parish Clerk or in the instance of The Parish Clerk being sick, to the chair of The Personnel Working Group.

### 3.4 Health and Safety

All employees are required to act at all times in accordance the Council's Health & Safety Policy and Procedures and generally to act in such a way to ensure their own safety and that of others.

Any action that potentially puts at risk the health and/or safety of themselves or others will be viewed seriously and may result in disciplinary action.

### 3.5 Absence

As stated above, employees are expected to be at work at the times and the days specified in their contract of employment. When they are not at work at these times and notification as to the reason for their absence has not been received, they will be classed as being on unauthorised absence.

In all cases, permission for annual and other leave (except special leave) must be sought in advance. Reasonable notice must be given for major leave periods.

Permission will not unreasonably be withheld.

Failure to seek approval for leave in advance will result in the absence being treated as unauthorised unpaid leave.

### 3.6 Abuse of Position

Employees must not, nor give the impression that they, abuse their position for personal gain or to achieve influence over applicants, residents or others. Such abuses will be viewed as gross misconduct.

### 3.7 Consumption of Alcohol, Drugs and Similar Substances

Employees who directly provide services to residents must not consume alcohol, non-prescribed drugs or similar substances or be under their influence during working hours. The employee must be satisfied that they are fit to be at work regardless of the period which elapsed between their consumption of alcohol and commencement of their duty period.

The Council does not condone the abuse or illegal use of non-prescribed drugs. Any indication that an employee uses such substances, either at work or in a manner which affects their work, will result in a charge of gross misconduct.

Equally, any employee who drinks alcohol while on duty and directly providing services to residents, or is not fit to work as a result of earlier drinking, will face a charge of gross misconduct.

### 3.8 Socialising

To avoid suggestions of bias or partiality towards individual applicants or residents, employees should, as far as reasonably possible, avoid excessive socialising with such groups. If employees find themselves in an unplanned social meeting with applicants or residents, they should be courteous and polite but avoid behaving in a way that might compromise their professional relationship.

Any situation that could place an employee in a compromising position should be recorded by the Parish Clerk. An example would be the acceptance of lavish and unreciprocated hospitality.

Failure to observe these restrictions may be viewed as a disciplinary offence.

Persistent or blatant flouting of these restrictions will be viewed as gross misconduct.

### 3.9 Financial Procedures

Employees must not borrow from, or lend money to applicants, contractors, consultants or residents. Employees must at all times comply with the Council's financial procedures. Failure to observe these restrictions will result in disciplinary action where the employee may face charges of gross misconduct.

### 3.10 Publication of the Code

All employees will be given a copy of the Code on joining the organisation (or when it is adopted for existing employees) and when the Code is revised. All new employees will have the opportunity to discuss the Code with their manager during their induction and managers will endeavour to ensure that all employees are aware of the rules and their implications.