

Issue number: 1

Issue Date: 01/2018

Review Date: 01/2019

This document is available in alternative formats on request.

Finance and Resources
HR and Organisational
Development

Code of Conduct

For all Renfrewshire Council Employees



Renfrewshire
Council

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Chief Executive's foreword

The Code of Conduct applies to all employees of Renfrewshire Council and sets out the standards of conduct that the Council expects from you as a Renfrewshire Council employee.

You are asked to read the Code of Conduct carefully and to follow the specified requirements at all times. I hope that you will find it helpful in your employment with the Council.

If there are any areas on which you need guidance or if you have concerns about any aspect of the Code of Conduct, you should contact your line manager or HR & OD for further advice.

The Code of Conduct has been developed in consultation with the recognised Trade Unions.

Sandra Black
Chief Executive

1. Introduction

- 1.1** The public expects a high standard of conduct from all local government employees. The Council's Code of Conduct for Employees sets out the minimum standards which are expected of all employees of Renfrewshire Council and provides you with guidance about your rights and duties at work.
- 1.2** These standards will be used as a benchmark of good practice by the Local Government Ombudsman where a complaint of maladministration has been made. The Code also incorporates 'Seven Principles of Public Life' identified by the Nolan Committee on standards in public life.
- 1.3** The Code of Conduct provides employees with guidance on the standards of conduct appropriate for public service and employees should familiarise themselves with its content.

A breach of the Code of Conduct may result in disciplinary action which could lead to dismissal. Due to the nature of your work, some parts of the Code may apply more than others but all employees will be expected to comply with the Code.

- 1.4** Employees who also have line management responsibilities should ensure employees reporting to them have access to the Code of Conduct.
- 1.5** Although contractors, consultants or volunteers are not directly employed by the Council, they will be expected to observe and comply with the Council's Code of Conduct for Employees. Elected Members have their own Code of Conduct which is available on the Council's intranet or from Committee Services.

2. The 'seven principles of public life'

Selflessness

You should not take decisions which will result in any financial or other benefit to yourself, your family or your friends. Decisions should be based solely on the Council's best interests.

Integrity

You should not place yourself under any financial or other obligation to an individual or an organisation which might influence you in your work with the Council.

Objectivity

Any decisions which you make in the course of your work with the Council, including making appointments, awarding contracts, or recommending individuals for rewards or benefits must be based solely on merit.

Accountability

You are accountable to the Council as your employer. Renfrewshire Council, in turn, is accountable to the public.

Openness

You should be as open as possible in all the decisions and actions that you take. You should give reasons for your decisions and should not restrict information unless this is clearly required by Renfrewshire Council policy or by law.

Honesty

You have a duty to declare any private interests which might affect your work with the Council.

Leadership

If you are a manager, you should promote and support these principles by your leadership and example.

3. Relationships

3.1 Personal conduct

- 3.1.1 As a public official the way you behave during working hours and any misconduct outside your working hours reflects on the image of the Council and may have a bearing on your employment with the Council.
- 3.1.2 Under the Council's Health and Safety Policy and the Health and Safety Act 1974 employees should not place themselves, work colleagues or members of the public at risk to their health and safety.
- 3.1.3 You must not attend work under the influence of either alcohol or drugs, as these may affect your ability to undertake your duties safely and effectively. Should you attend work under the influence of either alcohol or drugs you will be liable for action under the Council's Disciplinary Procedures.
- 3.1.4 You may seek support and assistance for any health and wellbeing issues including alcohol and drugs from your line manager, a trade union representative, HR and Organisational Development and the counselling service provided by Occupational Health.
- 3.1.5 Should you be charged or convicted of a criminal offence (including being released on bail) which is likely to adversely affect your work or your working relationship with the Council, you must advise your Director or Head of Service immediately. Such charges or convictions may result in action being taken against you under the Council's Disciplinary Procedures.
- 3.1.6 If you drive as part of your duties you must inform your line manager immediately of any driving conviction incurred in the course of your duties or outwith work, and/or any current or pending driving disqualification that would impact on your ability to fully carry out your work duties. You must also inform your line manager of health and wellbeing issues that may have an impact on your ability to drive or that would normally require notification to the DVLA.
- 3.1.7 Upon notification of a driving disqualification your line manager must relieve you of all driving duties with immediate effect and in consultation with you, seek to identify suitable means by which you may continue to undertake your normal duties or alternative work activities. Advice must be sought from HR & Organisational Development to identify, in consultation with the employee and their line-manager, the most appropriate course of action.

3.1.8 All employees of the Council will be required to complete a Basic Disclosure Check. If your job involves regular contact with children or protected adults, or in the administration of the law or in certain other sensitive areas and professions, the Council reserves the right to require you to undergo a Disclosure Scotland Police Check/PVG check at any stage of your employment.

3.1.9 You have a duty to make any payments due to the Council in good time. Regular checks will be made by the Director of Finance and Resources where they are legally entitled to do so. This will ensure that you are not in arrears with payments such as council tax, rent etc. If you are experiencing difficulties in making payments, advice is available from various sources such as the:

- Council Tax section within Finance and Resources;
- The local neighbourhood offices of Development and Housing;
- HR and Organisational Development, Finance and Resources;
- The Trade Unions.

3.2 The public

3.2.1 You may have contact with members of the public as users of services, clients or citizens and you should always be courteous and helpful.

3.2.2 Where an employee considers they have been bullied, harassed, discriminated against or victimised during the course of their Council duties by a third party (member of the public, customer, client, contractor), this should be reported to their line manager at the earliest opportunity. In such instances, further investigation may be required and any unacceptable behaviour should be dealt with as outlined by the Council's relevant health and safety policies.

3.3 Elected members

3.3.1 Both Elected Members and employees are servants of the public and they are indispensable to each other. Employees are responsible to the Council. Their role is to give advice to Elected Members and the Council and to carry out the Council's work under the direction and control of the Council and its Boards.

3.3.2 Elected Members are free to approach any Council service for such information, explanation and advice about the service's functions as they may reasonably need in order to assist them in carrying out their duties as members of the Council. Such approaches should normally be directed to the Chief Officer or another senior officer of the service

concerned. If you are called upon to provide support and briefings to party groups you should follow Renfrewshire Council's protocol for member/officer relations. Before providing such information, you should inform your line manager.

3.4 Contractors

3.4.1 You must be fair and impartial in your dealings with contractors, sub-contractors and suppliers. Close personal familiarity between employees and contractors can damage the working relationships and reputation of the Council.

3.4.2 If you are involved in the tendering process you must follow the Council's procurement procedures and rules for tenders and contracts. Further information can be obtained from the Procurement section, Chief Executive's Service.

4. Bribery, fraud and corruption

4.1 You must not use your position with the Council, or misrepresent your personal circumstances in relation to any council process, in order to obtain a gain that you are not entitled to, or to further your own interests, or the interests of others who do not have a right to benefit, under Renfrewshire Council's policies.

4.2 You should be aware that under the Bribery Act 2010 it is a serious criminal offence to:

- offer, promise or give someone a reward to make them perform their functions or activities improperly; accept, agree to accept or request a reward in return for performing a relevant function or activity improperly;
- bribe a foreign public official in order to win business, keep business or gain business advantage for the organisation.

4.3 Any suspected incident of bribery, fraud or corruption will be investigated internally and where the Council considers that a breach has occurred, this will be referred to the relevant regulatory authority for further action as appropriate. This could lead to a criminal conviction and may result in a hearing under the Council's Disciplinary Procedures.

5. Your rights as an employee and member of the public

5.1 Public statements

- 5.1.1 If you use Renfrewshire Council services you are entitled to express a view on the quality of service you receive. However, you should not make use of information obtained through your work with the Council.
- 5.1.2 Criticism of the Council or officers of the Council made via the media, social media or the internet outside of work may be investigated under the Council's Disciplinary Procedures.
- 5.1.3 Trade Union representatives may use the media, social media or the internet to communicate with their members or make a statement on behalf of their trade union.

5.2 Access to your elected member

- 5.2.1 As a member of the public, you are entitled to raise with your Elected Member any complaint which you have about the services of Renfrewshire Council. If your complaint concerns any aspect of your work with Renfrewshire Council, you should follow the Council's Grievance Procedures.

5.3 Fair and reasonable treatment at work—respect at work

- 5.3.1 You are entitled to expect fair and reasonable treatment from your colleagues, managers and from Elected Members. If you feel that you have been unfairly treated or have been discriminated against, you are entitled to make use of the Council's appropriate policies including Respect at Work or the Grievance Procedures.
- 5.3.2 The Council will not tolerate bullying, discrimination, harassment or victimisation of an employee who has raised concerns through this process. It is the duty of all employees to ensure that colleagues do not suffer any type of unacceptable behaviour.
- 5.3.3 It should be noted that if an employee is already the subject of action under another Council policy e.g. Disciplinary Procedures this will not automatically be halted as a result of them expressing their concerns under the Respect at Work Policy or Grievance Procedures.

6. Disclosure of information

6.1 Contact with the media

- 6.1.1 In your work with Renfrewshire Council you must get Council authorisation before media contact can take place. All contact with the media (press/television/radio/social media) should be referred in the first instance to your Director or Head of Service.
- 6.1.2 With the exception of Head Teachers in schools, employees must not respond to enquiries by the media or make any comment to the media on situations described or statements made. Where possible, Head Teachers should take advice from the appropriate Head of Service within Children's Services prior to releasing information to the media and always inform the Communications and Marketing Team within the Chief Executive's service of any media contact.

7. Expressing concerns outwith line management policy

7.1 The Council is committed to the highest possible standards of openness, honesty and accountability. In line with that commitment, if you have a serious concern about illegality, malpractice, wrongdoing or serious failures of standards of work you are encouraged to come forward and voice any concerns. The Council's Expressing Concerns Outwith Line Management Policy provides safeguards for employees and public officials who disclose unlawful and improper conduct including breaches of this Code.

7.2 Concerns should be made in writing, usually to your Head of Service. Where you do not feel able to put your concern in writing, contact can also be made by telephone or in person to an appropriate officer.

7.3 Public Interest Disclosure Act 1998

7.3.1 This Act makes provision for the protection of individuals who disclose information which, they believe, has resulted in any of the following occurring:

- (i) that a criminal offence has been committed, is being committed or is likely to be committed;
- (ii) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject;
- (iii) that a miscarriage of justice has occurred, is occurring or is likely to occur;
- (iv) that the health or safety of any individual has been, is being or is likely to be endangered;
- (v) that the environment has been, is being or is likely to be damaged;
- (vi) that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

7.4 Confidentiality

7.4.1 The Council will maintain the confidentiality, wherever possible, of the identity of the employee who has raised the concern. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the individual may be required as part of the evidence.

7.5 Anonymous allegations

7.5.1 Employees are encouraged to put their names to any allegations made. Concerns expressed anonymously will be investigated at the discretion of the Council. In such a case the employee under investigation must be notified of the allegation against them.

7.6 Untrue allegations

7.6.1 If an employee makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If however an employee makes malicious or vexatious allegations, disciplinary action may be considered.

8. Working with elected members, political neutrality and politically restricted posts

8.1 As an employee of the Council you must serve the Council and Elected Members, regardless of their political outlook. The Chief Executive and senior officers have ultimate responsibility to help ensure that the policies of the Council are implemented. If you are asked to provide assistance with a matter which is clearly party political or which does not have a clear link with the work of the Council, you should refer the matter to your line manager.

8.2 A small number of posts are "politically restricted" in terms of the Local Government and Housing Act 1989 (as amended). A person who holds such a post is disqualified from being or becoming a member of:

- a local authority;
- the Scottish Parliament;
- the House of Commons;
- the European Parliament.

9. Conflict of interest

9.1 Private interests

9.1.1 You must not allow any private interest to influence your decisions at work and be aware that even where there is no conflict that your conduct may lead to a perceived conflict of interest. If you are involved in working or in transactions being carried out by Renfrewshire Council in which close members of your family or people living in the same household as you may have financial interests, these interests must be declared to and recorded by your line manager.

9.2 Membership of organisations or clubs

9.2.1 If by being a member of an organisation or a club there might be a conflict of interest in relation to any aspect of your employment with Renfrewshire Council, you must declare this to your line manager. This also applies to membership of organisations or clubs which are not open to the public.

9.3 Political, professional and trade union activity

9.3.1 Employees who are not in a politically restricted post will have the right to engage in political or professional activities but must ensure that these do not result in an actual or perceived conflict of interest with your official duties with the Council.

9.3.2 If you are a trade union or workplace representative, you must ensure that any public comment is made on behalf of the trade union or association you represent and not the Council.

9.4 Employment outwith council working hours

9.4.1 Normally you will be able to undertake paid employment/self employment outside the Council unless there is a clear conflict of interest or is it likely to have an adverse effect on your work with the Council.

9.4.2 You are not allowed to use Council equipment and resources in any outside employment. If you are unsure if the other employment may be in conflict with the Council's interests you should seek guidance from your Director or Head of Service.

9.4.3 Directors and Heads of Service must not engage in any other business or undertake any additional appointment without the express consent of the Leader of the Council or the Chief Executive.

9.5 Other outside duties or services during working hours

9.5.1 As an employee you are not permitted to hold any outside office or position of employment where the duties of which would require absence from work during normal working hours, without the consent of the Chief Executive.

9.5.2 A Director/Head of Service can authorise an employee to be absent occasionally and temporarily during working hours to attend to duties or services of an honorary, charitable or philanthropic character, so long as these do not interfere with efficient discharge of Council duties, or to take leave of absence during office hours for similar duties or services. Any leave granted for these purposes will be in line with the Council's Special Leave Policy.

9.5.3 The Council supports employee volunteering. Employees taking part in this during normal working hours must have prior approval from their line manager. Any volunteering activities carried out by an employee during or outwith normal working hours should not be in conflict with the employee's role within the Council.

9.6 Invitations to give lectures, broadcasts, speeches etc

9.6.1 You may accept invitations to undertake lectures appropriate to your professional qualifications and retain any fees providing such lectures are given outwith normal office hours and do not prejudice the interests of the Council.

9.6.2 If lectures are expected to take place during normal hours and cover a given period or pattern, you must obtain prior agreement from your service Director or Head of Service. Directors will require to obtain the prior agreement of the Chief Executive. Any fees received, excluding out-of-pocket expenses, must be paid to the Council, or the time off must be set against your annual leave entitlement or deducted from your flexible working hours balance.

10. Acceptance of gifts, hospitality and other benefits

- 10.1** Renfrewshire Council has established a policy on the acceptance of gifts and hospitality. This advises on the correct approach to take if you are offered gifts, hospitality or other benefits in connection with your official duties.
- 10.2** All offers of gifts and hospitality made to you as an officer of the Council must be recorded in the register of gifts and hospitality, even if they are declined. You should also be cautious and mindful of a giver's expectations in relation to gifts and hospitality, particularly where offered to close family members
- 10.3** The Code of Conduct for Officers on the Acceptance of Gifts and Hospitality is available on the Council's intranet.

11. Use of council resources

- 11.1** Renfrewshire Council provides a wide range of services to the public. It is crucial that these services are provided as efficiently and effectively as possible.
- 11.2** In your work capacity you have access to a variety of resources such as equipment, vehicles, materials, finances and any other items under the control of the Council.
- You should clearly understand your contractual obligations to Renfrewshire Council and you must not use any of the Council's resources to assist with commitments to non-Council employment outwith Council working hours or for any other personal use unless authorised or in line with the ICT Acceptable Use Policy.
- 11.3** There can be occasions where Chief Officers, or other nominated officers, are satisfied that there are justifiable reasons for the temporary removal of resources from Council premises for use for other purposes. For example, where you are undertaking a course of study recognised by the Council, it would be considered reasonable to allow you to take a portable personal computer home in the evening.
- 11.4** If you are authorised to use resources for your work or outside working hours you must ensure that they are stored securely at all times.

12. Use of the council email system

- 12.1** Email is an important and significant electronic channel of communication within the Council and to communicate with external organisations. Responsible use of the email system is vital to ensure integrity of the Council's processes and systems, as well as providing assurance to partners and stakeholders that ours and their information is being handled and managed appropriately. You can only use the Council's email system for business use. **Personal use is not permitted at any time.**
- 12.2** The Council reserves the right to access, record or monitor the contents of emails both sent and received via the Council email system for business purposes. Inappropriate use of the Council's email system will be investigated under the Council's Disciplinary Procedures. The Council's ICT Acceptable Use Policy is available on the Council's intranet or from your manager.

13. Use of the internet

- 13.1** You can use the internet for business purposes during normal working hours and for personal use outwith normal working hours e.g. on lunch breaks or other unpaid breaks. You must not use your access to the internet during normal working hours to carry out any personal business.
- 13.2** Use of the internet is subject to monitoring controls and regularly reported to senior management. You should not use the internet to make negative or defamatory comments about the Council, its agreed decisions or policies, or its officers or Elected Members. Such behaviour will be investigated under the Council's Disciplinary Procedures.

14 Use of social media

- 14.1** Employees are permitted access to social media sites such as Facebook and Twitter on the Council network for business purposes, with approval from the Communications and Marketing Team and for personal use outwith the employees' normal working hours, in accordance with the Council's ICT Acceptable Use Policy and Social Media Guidance.
- 14.2** All employees should be aware of their conduct and responsibilities when communicating online and using social media sites. Employees should familiarise themselves with the guidance on the use of online communications and in particular social media in the Use of Social Media at Work and for Personal Use Guidance. The guidance also outlines how unacceptable use may be addressed by the Council.
- 14.3** Employees using social media for work purposes, particularly those with any form of enforcement or investigatory role must be aware of what covert surveillance is – this is monitoring someone who is unaware of this to obtain information, usually for a specific investigation, even when this is easy to find or 'open source'.
- 14.4** Covert surveillance must always be authorised by an Authorising Officer. Further guidance on use of internet or social media for covert purposes can be obtained from both the Council's Surveillance Policy and Guidelines and the Council's Guidance on the Use of Social Media. Any employee who thinks that they could be using social media for covert surveillance must first check with their Line Manager or the Authorising Officer for their Service. A list of Authorising Officers or further advice on covert surveillance can be obtained from the Managing Solicitor, (Information Governance).
- 14.5** Where use of social media has been found to be unacceptable, either on the Council network or on the employee's own personal device/ home computer, disciplinary action may be taken. Inappropriate online behaviour can also result in criminal action or in some instances civil action brought by others. Employees should also be aware that in circumstances where their behaviour is unlawful i.e. involving a hate crime incident such as sectarianism, racism or homophobia, the Council will report this to the Police.

15. Data protection and ICT security

- 15.1** The Data Protection Act 1998 and its replacement the EU General Data Protection Regulation (GDPR), imposes obligation on the Council as a data controller in relation to the processing of personal data. You will have a duty to ensure that the integrity of any personal information about a living individual, with whom you come into contact in the course of your employment, is accurate and protected at all times. You must regard this information as strictly confidential and you must undertake not to make any unauthorised disclosure at any time.
- 15.2** All employees are responsible for the security of the Council information they come into contact with and in whatever format such as paper, electronically, multimedia (audio tapes, CD, DV etc), stored on devices such as USB pens and disks, or recorded via systems such as CCTV equipment.
- 15.3** Any compromise of the security of any information owned by the Council will be investigated and failure to comply with these obligations may result in disciplinary action including dismissal. Further guidance is contained in the Council's Data Protection Policy, Information Security Policy and Guidance on the Responsible Use of Personal Data and Confidential Information.

16. Use of financial resources

- 16.1** Public funds entrusted to you must not be used for a personal purpose at any time. If you are responsible for handling cash you must ensure it is held securely.

17. Recruitment and selection

- 17.1** The Council requires all applicants for jobs to disclose all contraventions of, or failures to comply with, any provisions of law, whether committed in the UK or elsewhere, unless the Rehabilitation of Offenders Act applies and the rehabilitation period has expired. Disclosure checks are conducted on all successful applicants within the Council and PVG checks will be carried out on successful applicants for certain posts within the Council.
- 17.2** Renfrewshire Council has a Recruitment and Selection policy based on the principles contained in the COSLA Code on Recruitment and Selection. All appointments must be made on the basis of merit.
- 17.3** If you are involved in the recruitment and selection process and have any kind of relationship which might affect your ability to be impartial, that relationship must be declared to your line manager. Your manager will then decide whether you can participate in the recruitment and selection activities.
- 17.4** You must not lobby an Elected Member or another colleague either directly or indirectly to secure your appointment or promotion, or the appointment or promotion of another person. If you have been lobbied by an applicant, another colleague, an Elected Member or any other person, you must report the matter to your manager.
- 17.5** Canvassing of Elected Members or employees of the Council, directly or indirectly in connection with any appointment being made by the Council, shall disqualify the candidate.
- 17.6** Where an employee or Elected Member is involved in the shortlisting or interviewing process and is aware of a relationship with any of the applicants they must disclose this and the Head of HR & Organisational Development must be informed.

18. Relevant council policies, procedures and supporting guidance

- 18.1** This Code of Conduct should be read in conjunction with the following Council Policies, Procedures and supporting guidance:
- Disciplinary Procedures and supporting guidance;
 - Grievance Procedures and supporting guidance;
 - ICT Acceptable Use Policy;
 - Data Protection Policy;
 - Surveillance Policy and Guidelines
 - Use of Social Media Guidance;
 - Code of Conduct for Officers on the Acceptable Use of Gifts and Hospitality;
 - Expressing Concerns Outwith Line Management Policy;
 - Use of Council Resources Policy;
 - Equality and Diversity Policy;
 - Respect at Work Policy;
 - Recruitment and Selection Guidance.

Further information

For more advice and guidance on the Code of Conduct, contact your line manager or your link team within HR and Organisational Development, Finance and Resources.

Email any enquiries to HRPolicy@renfrewshire.gov.uk.

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