

Code of Conduct for Employee

This chapter includes the code of conduct for employees. The Code aims to set out the minimum standards that apply to the council's employees and help them to maintain and improve standards of behaviour and protect themselves from misunderstanding or criticism.

Introduction

HR will keep the code under review to reflect changes in working practice and demands placed on the public sector, consulting with the constituent trade unions prior to re-issue of the Code or revisions to its content.

All new employees must be provided with a copy of the Code. All employees must be aware of the content of the Code and immediate managers must respond to requests for clarification from staff to assist their understanding.

Each Chief Officer will set up and maintain a register of hospitality as identified in the Code

Each Chief Officer will identify and publish a list of "appropriate managers", referred to throughout the Code of Conduct.

The existence of the Code does not remove the need for appropriate local operating rules nor does excuse employees from fulfilling their obligations laid down in their job description, workplan and contract of employment. It does not attempt to identify every council rule that exists but highlights some key rules which broadly apply to all employees

Corporate Governance services have prepared a separate detailed protocol governing relationships between Members and employees. This is available on the Council's intranet and should be read in conjunction with this Code of Conduct.

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Code of Conduct for Employees

The public is entitled to expect the highest standards of conduct from all employees who work for Southwark Council. This Code of Conduct sets out the minimum standards that should apply to the Council's employees and aims to help employees to maintain and improve standards of behaviour and protect themselves from misunderstanding or criticism.

The Code does not supersede local operating guidelines nor the need for employees to fulfil their obligations laid down in their job description, workplan and contract of employment. It does not attempt to identify every Council rule that exists but highlights some key rules, which broadly apply to all employees.

1. Standards

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 and impartial advice to elected Members and colleagues.

All employees are expected to bring to the attention of the appropriate manager any deficiency in the provision of services to the public.

All employees are expected, without fear of recrimination, to report to the appropriate manager any impropriety or breach of procedure. The Council has a procedure for "whistleblowing" to facilitate this.

All staff have a particular responsibility with regard to their own conduct toward children and vulnerable adults (e.g. dependent elderly and people with learning disabilities). As responsible adults, &/or as employees with care responsibilities, if staff have any concerns about the observable care or well being of service users they must bring these quickly to the attention of a manager, or use the [whistle blowing procedure](#) .

2. Management & Disclosure of information

The law encourages open government and requires that certain types of information must be available to elected Members, auditors, government departments, service users and the public. The Council also endorses open government and has its own standards for disclosing certain types of information. All employees must be aware of which information the Council is and is not open about and act accordingly.

Employees should not communicate to the public, press, television or any outside agency the contents of any documents relating to the Council or the proceedings of any committee meeting that is "closed" information unless required by law or authorised by an appropriate manager to do so.

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.

Everyone who works for or represents the Council must protect the personal data that they use and be aware of their obligations under the Data Protection Act and the Council's related policy. Failure to follow the Council's policy on the use, disclosure, security and disposal of information may lead to disciplinary action and contravention of Data Protection legislation could, in some circumstances, be deemed as a criminal offence.

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

3. Political neutrality

All employees serve the Council as a whole and it follows that they must serve all elected Members and not just those of any particular political group. Employees must ensure that the individual rights of all Members are respected but must understand that Members act through Committees or Sub-Committees and cannot issue executive orders.

The Local Government and Housing Act 1989 (as amended) imposes restrictions on political activities for certain categories of local government employees. Political restrictions apply to Chief Officers and their deputies, employees who are regularly required to provide advice to Members and those who are regularly required to speak to the press on behalf of the Council.

Employees, whether or not they are 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 with elected Members

Employees are responsible to the Council through its senior managers. For some, their role is to give advice direct to Members and senior managers. Mutual respect between employees and Members is essential to good local government and good working relationships facilitate this process. Close personal familiarity between employees and individual Members, however, can damage the relationship and prove embarrassing to other employees and Members and should therefore be avoided.

The Monitoring Officer has prepared a separate detailed protocol governing relationships between Members and employees, which should be read in conjunction with this Code of Conduct.

5. Relationships with 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 the Council. (See below for replying to correspondence and answering telephone calls).

6. Relationships with contractors

All relationships of a business or private nature with external contractors, or potential contractors, must be made known to the relevant Chief Officer and properly recorded. All employees who engage or supervise contractors or who have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, must also declare that relationship. A [Declaration of Interest pro-forma](#) is available for such notification.

Orders and contracts must be awarded on merit, by fair competition against other tenderers and no special favour should be shown to businesses or consultancies run by, for example, friends, partners or relatives, in the tendering process. The Council's Contract Standing Orders must be rigidly applied.

7. Appointment and other employment matters

All employees involved in appointments should ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment that was based on anything other than the ability of the candidate to undertake the duties of the post. The Council's recruitment and selection procedure must be strictly observed. 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, capability, promotion or pay adjustments for any other employee who is a relative, partner, etc.

8. Outside commitments

Employees' off-duty hours are their own personal concern. However, employees should not take up any outside activities or employment, whether paid or unpaid, which conflicts with or reacts detrimentally to, or has such potential, the Council's interests, or which exposes themselves to a significant health risk. Some employees have contracts of employment that require them to obtain written consent from an appropriate manager to take up any outside employment. All employees should be clear about their contractual obligations and should not take up outside employment that conflicts with the Council's interests or exposes themselves to a significant health risk.

Employees should follow the Council's rules on the ownership of intellectual property or copyright created during their employment. All patents, trademarks and other rights in inventions or concepts that are created or developed by employees during and arising from or related to their employment belongs to the Council, subject to any rights acquired by employees under the Patents Act 1977. The Council also owns the copyright in all work produced by employees during their employment.

9. Personal interests

Employees must declare to an appropriate manager any financial or non-financial interests they consider could bring about a conflict with the Council's interests.

Senior managers are required to declare membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct. [A Declaration of Interests pro-forma](#) is available for such notification. All other staff are encouraged to declare such membership to an appropriate manager.

10. Equality issues

All members of the local community, customers and other employees have a right to be treated with fairness. All employees should ensure that they are aware of the Council's policies relating to equality issues and managing diversity and that all such policies are complied with fully, both in letter and spirit.

It is a personal responsibility of all employees to take all necessary steps to ensure that they do not discriminate against members of the local community, customers or other employees on the grounds of age, sex, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion & belief, sexual orientation, class, basic skills or trade union activity. All employees must also do whatever is reasonable and appropriate to promote equality of opportunity in whatever way and whenever they can.

11. 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 managers who have both a 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 to businesses or consultancies run by them or employing them in a senior or relevant managerial capacity.

12. Bribery and Corruption

Employees must be aware that under the Bribery Act 2010 it is a serious criminal offence for them to bribe or receive a bribe from another individual or organisation. Bribery is defined as a financial or other advantage which is offered or requested with the intention of inducing or rewarding the improper performance of a function or activity of another person. Employees must also be aware that under section 117(2) of the Local Government Act 1972 an officer of a local authority must not in the course of his or her employment, accept any fee or reward whatsoever other than their proper remuneration.

13. 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. All employees should ensure that they have an appropriate awareness of the Council's financial regulations and that their actions fully comply with those regulations.

14. Hospitality

Employees should only accept offers of gifts and hospitality where this is reasonable and proportionate and is aimed at improving the council's image or establishing or improving business relationships. All such offers of hospitality should be recorded and any acceptances should be properly authorised by the relevant manager.

When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the Council.

Employees should not accept significant personal gifts from contractors and external suppliers, although the Council does allow employees to keep insignificant items of token value such as pens, diaries, etc. In all cases, advice should be sought from an appropriate manager.

When receiving authorised hospitality, employees should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting or potentially 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.

15. Sponsorship – giving and receiving

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.

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.

16. Rent and/or Council Tax arrears

Employees must not fall into unmanaged debt with the Council. Debt would include, but is not limited to, rent arrears, council tax arrears, arrears arising from leaseholder agreements with the Council, arrears in the repayment of employee loans or employee leasing agreements. Where any such arrears have been accrued prior to employment with the Council, and are still outstanding, employees should undertake to clear them within an agreed and reasonable period of time.

17. Appropriate dress

The way employees dress makes an important impression on service users, both external and internal, and the Council therefore expects all employees to dress appropriately whilst at work so that confidence of service users is maintained.

The Council welcomes the fact that there is a wide range of dress styles across its employees and that this variety reflects the cultural diversity both of employees and the local community. Whilst valuing this diversity and not seeking to achieve a complete uniformity of dress style, the Council does expect all employees' clothing at work to be neat, clean, modest and appropriate.

18. Use of Council property and facilities for personal use

Employees are not normally permitted to use office equipment, e.g. personal computers, facsimile machines, photocopiers and the like, for personal use. Employees must not allow their office addresses to be used for personal mail deliveries.

19. Answering telephones

First time contact with the Council is almost always by telephone and this contact will often determine the way in which people regard the Council.

All employees should ensure that telephones are answered quickly, efficiently, helpfully and politely. In general, calls should be answered within five rings or fifteen seconds.

Employees should be aware the Council may record telephone conversations for ensuring compliance with its policies and procedures and this code of conduct.

All employees should make themselves familiar with the Council's Code of Practice on Answering Telephones and ensure that they comply with it at all times.

20. Answering correspondence

In order for the Council to demonstrate its commitment to its customers, prompt, courteous and efficient response to correspondence is essential. In general, correspondence should be acknowledged within three working days of receipt and a full reply sent within two weeks.

All Member enquiries should be answered within ten working days, but in exceptional circumstances (which should be relayed to the Member), a further three weeks may be allowed.

All employees should make themselves familiar with the Council's Code of Practice on Answering Correspondence and ensure that they comply with it at all times.

21. Use of Telephones, E-mail & Internet

Employees are only permitted to make personal use of telephones e-mail and Internet facilities at work at their line managers' discretion, or when there is an urgent need to contact someone in an emergency. The time spent should be kept to a minimum. Employees should also inform their family and friends only to contact them at work when it is necessary.

Employees should be aware that the Council uses call logger technology to record telecommunications traffic. Managers may request reports on numbers dialled on a Council telephone when necessary. The Council may record telephone conversations for ensuring compliance with its policies and procedures and this code of conduct.

Employees should be aware that the Council uses security software that routinely monitors the content of e-mail and Internet usage for the purpose of ensuring compliance with its policies and procedures and this code of conduct. Employees must not store or send electronic material that uses un-authorized encryption, contains programme files, is obscene, indecent, sexist, racist, ageist, defamatory, abusive, in breach of copyright, or otherwise inappropriate. This includes material, which is discriminatory or offensive on the grounds of religious belief and/or sexual orientation. Electronic material of this nature sent in or out of the Council's network, or electronic material found containing a virus, may be intercepted and stopped by the system. Managers may request access to an employee mailbox or gain access to Internet usage reports when necessary.

Employees should use the Internet and electronic mail in exactly the same way as they would correspond to anyone on Southwark headed notepaper and must remember that all electronic mail falls within the framework of the Data Protection legislation. Employees must not correspond on any aspect of Council business, unless it falls within the employee's job description.

Under no circumstances should a Responsible Officer enter into a contract with an estimated value exceeding £20,000 by e-mail. Contracts with an estimated value not exceeding £20,000 can only be entered into by e-mail where the contract is to be performed on the Council's standard contract conditions.

Where, in exceptional circumstances, tenderers are allowed to return tenders by e-mail they should be asked to also send a paper copy to arrive by the tender return date. They should in addition be advised that in the case of a discrepancy between the contents of the paper copy and the contents of the e-copy the contents of the paper copy will prevail.

22. Health and safety issues

All employees should ensure that they are fully aware of their own duties and responsibilities under the health and safety at work legislation. A copy of the Council's Health and Safety Policy has been issued to each employee.

Note 1: Each Chief Officer will set up and maintain a register of hospitality.

Note 2: Each Chief Officer will identify and publish a list of "appropriate managers", referred to throughout the Code of Conduct.

Head of Human Resources

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Code of Conduct for Employees

<u>DO</u>	<u>DON'T</u>
<ul style="list-style-type: none"> • Report any impropriety or breach of procedure. • Follow every lawful policy of the Council, irrespective of your own personal or political opinion. • Maintain respect for Members and colleagues and follow the protocol governing these relationships. • Ensure courteous, efficient and impartial service delivery to all individuals and community groups. • Declare all relevant relationships and personal interests, which could conflict with the Council's. • Make all employment appointments on the basis of merit and in accordance with the Council's policy. • Apply the Council's contract standing orders with decisions on merit and no special favour. • Ensure that you treat everyone in accordance with the Council's policies on Equal Opportunity. • Exercise fairness and impartiality when dealing with all customers, suppliers and contractors. • Ensure awareness and compliance with the Council's financial regulations. Use public funds entrusted to you in a responsible and lawful manner. • Dress appropriately and in accordance with your local dress code whilst at work. • Only make or receive personal telephone calls / E-mails when there is an urgent need / emergency. • Comply with the Council's Codes of Practice on Answering Telephones and Correspondence. • Ensure that you are aware of and comply with your own duties and responsibilities for health & safety at work. • Everything practical to maintain and improve the standards of service delivery and conduct. • Be aware of & implement Data Protection requirements. 	<ul style="list-style-type: none"> • Communicate to the public, press, television or any outside agency "closed" information unless authorised or required by law. • Use information obtained in the course of employment for personal gain or benefit. • Become involved in any People Management process for anyone who is a relative or in a close personal relationship to you. • Take up outside activities or employment, which may act detrimentally to the Council's interests. • Discriminate against members of the local community, customers and other employees. • Disclose to any unauthorised party any confidential information on the tender process. • Receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour or disfavour to any person or organisation in your official capacity. • Accept offers of hospitality unless there is a genuine need to impart information or represent the Council. Ensure the offer is authorised. • Accept significant personal gifts from contractors or suppliers. • Fall into unmanaged debt with the Council. • Use office equipment or mail facilities for personal use. • Use Internet browsing facilities at work to access Internet sites that would be deemed to be unreasonable and/or inappropriate. • Do anything that is likely to bring the Council into disrepute or in any way weaken its standing.