

APPENDIX 4

The Employee Code of Conduct

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Introduction

1. The purpose of the Employee Code of Conduct is to help employees in contributing to the achievement of the Council's ambitions by providing a clear set of principles that underpin how the Council work and the behaviours and standards that are needed to achieve this vision. Working in accordance with the code also helps the Council provide the best possible service to the public. It helps protect the Council's reputation and ensure that we are trusted to deliver high quality services, with the public interest at the heart of everything we do.
2. The Code of Conduct covers all staff employed by the Council. The Members Code of Conduct is in place to guide the standards and behaviours of Members.
3. If your role entails you working as part of a partnership arrangement with another organisation, the Employee Code of Conduct still applies to you.
4. The Code is incorporated into your terms and conditions of employment. Individual service regulations and rules provide more detailed guidance for staff, and in some service areas certain roles are governed by specific professional standards and legislation.
5. Failure to comply with the Employee Code of Conduct, service or professional standards may result in disciplinary action in accordance with the appropriate policy. You should make yourself familiar with the policy which outlines the standards of behaviour expected of you and examples of the type of actions that would require disciplinary action to be taken. A serious breach of this code would include, for example, theft, fraud, or misuse of council property which are offences classed as gross misconduct.
6. You will be indemnified from personal legal action against you if you are acting in good faith in the discharge of your duties.
7. You should seek advice from your line manager or Human Resources if you are unclear about any aspect of the code or associated guidance. If you are a manager, you should make sure those who report to you know about and understand the code, and act if there is behaviour which is inconsistent with it.
8. If you are working for another organisation whilst still employed by the Council (for example when undertaking employer supported voluntary work or on secondment) you are expected to continue to act in accordance with this code to help ensure that the public have confidence in us and the services the Council provide.

The Principles in the Code of Conduct

1. These principles assist in ensuring there is a clear framework of standards within which the Council operates.
2. These provide key guidance on the ethical standards which all people who hold public office should comply with and these standards are reflected in the seven principles of working.
3. An overview of the principles is provided below:

- ***We serve the public***

We are here to provide services to the public and we always deliver the highest standards of service.

- ***Respect for Others***

We treat all people with dignity, consideration, and respect.

- ***Accountability***

We are all trusted to deliver high quality services and in return it is expected that we act responsibly. We are accountable to our Managers, the Council as a whole and the public for our decisions and actions.

- ***Fairness***

We treat people fairly regardless of their age, gender, disability, gender reassignment, race, religion or philosophical belief, sex, sexual orientation, and marital status. Decisions are made fairly, consistently and on merit.

- ***Openness***

The public have a right to know and understand reasons behind key decisions. We act and take decisions openly and transparently .

- ***Honesty and Integrity***

We are honest and truthful and act according to the public, rather than our own, interests.

- ***Leadership***

We promote these principles in everything we do and act in ways to inspire public confidence.

Serving the public

1. Serving the public is at the heart of what we do, whether we work directly with the public, or provide important support that enables customer facing staff to provide the highest possible standards. You should make yourself familiar with any service specific customer service guidance that you are required to follow, in addition to the general standards set out below.

Customer Service Standards

1. Members of the public should be treated with dignity and respect. To help build constructive relationships with our service users, we must take the time to listen and understand. We should work with service users recognising their unique skills and knowledge and the role they can play in facilitating positive change. This helps us to build better relationships and be more empathetic and responsive to individual needs.
2. You also have a right to be treated with dignity and respect by our service users. You are not expected to tolerate aggressive, abusive, or violent behaviour. This includes hate crimes, which are crimes that are targeted at a person because of hostility or prejudice towards that person's disability, race or ethnicity, religion or belief, sexual orientation, or transgender identity. If you experience this, you should report this to your manager and be supported appropriately.

Dress Code

1. You are expected to dress appropriately according to the service that is being delivered and your role within the organisation and you should refer to any service specific guidance that applies.
2. Uniform, and clothing provided for health and safety reasons must be worn.
3. The Council values and welcomes the ethnic, religious and gender diversity of our work force and service dress codes will include ethnic and religious dress requirements to ensure that you are free to wear them.
4. Employees must ensure that their official ID is visibly displayed at all times whilst on Council premises.

Respect for Others

1. Trust, listening and understanding are critical behaviours and essential to developing strong working relationships which will allow us to deliver our objectives. Respectful treatment of others is crucial in your use of Social Media.

Our relationships

1. Internally it is important that we work as one organisation and have constructive working relationships within our teams and are also able to work across teams, services, and directorates. Externally we need to be adaptable to the distinctive styles and approaches of the diverse range of service users, partners, and agencies that we work with.
2. You should be professional in your behaviour towards colleagues and we should treat each other with mutual dignity and respect. The Council does not tolerate behaviour that undermines dignity or respect or can cause others to think less or be disrespectful towards any individual or group. In addition, if you experience bullying or harassment or at work, this should be reported to your manager, or an alternative manager if this is preferred, at the earliest opportunity.
3. Complaints can be raised through policies to support fair treatment and resolution of employees complaining about behaviour in the workplace, including harassment and victimisation by other employees or managers.

Relationship with your manager

1. Managers have a duty of care to staff and are responsible for ensuring clarity of role, monitoring of performance, and setting reasonable standards around behaviour within a particular role. Regular discussions between you and your line manager help you meet your goals and progress key actions.

Relationship with councillors

1. Employees serve the Council as a whole. Mutual respect between employees and councillors is also essential to provide high quality services. Depending on your role, you may be required to give advice to members as part of your duties.
2. Close personal familiarity between employees and individual Councillors should be avoided as this can damage the ability of both parties to act objectively and create a perception of bias with other employees, Councillors and the public.
3. Members have been elected by local people to represent them and their position should be recognised regardless of your own views. If employees or councillors feel that they have not been treated with respect by the other, this can be raised with the appropriate Chief Officer or the Chief Executive.

Relationship with service users

1. You should ensure that you treat all service users with dignity, respect, and impartiality. Avoid unnecessary personal familiarity with service users you come into contact within the course of your work. You should not use your position to take or confer unfair advantage of people accessing our services or allow yourself to be unduly influenced by service users.

2. Your role may involve work with vulnerable service users. All support and interactions with these service users during your employment must comply with relevant legislation, professional standards, and service rules.

Use of Social Media

1. Social media channels provide the Council with unique opportunities to build relationships and to connect and engage with our communities. People often wish their preferred way of communicating with the Council to be through social media.
2. Social media should be used in a respectful way and supports the Council's leadership role in the community, maintaining the trust of all our stakeholders. It is also here to support and protect you as our staff.
3. It is important that you are aware of the negative impact that inappropriate personal social media activity can have on the trust in the Council and the services provided. You are therefore expected to maintain the behaviours outlined in this Code.
4. If you choose to access social networking sites and/or other online forums or blogs you are expected to act responsibly and exercise judgement regarding what is appropriate to post online.
5. Inappropriate or offensive activity on social media that is brought to the Council's attention may result in disciplinary action.
6. Even if you do not identify yourself on Social Media as a Council employee these standards apply.
7. Be aware of any real or perceived conflicts of interest that could occur if you include service users, their families, friends, contractors used by the council or Councillors as 'friends' on social media. You should exercise judgement when you decide whether it is appropriate to accept a friend request.
8. Do not publish anything that is confidential to the council or use social media to comment on potentially sensitive matters in any context. This could include, for example politically sensitive information and information about service users who use our services.

Official use of social media for Council business

1. You may be required and encouraged as part of your role to use Council social media accounts to further Council business. Social media is a welcomed and valued tool of engagement however you must be aware that information you post in this context must reflect our values. Social media posts and interactions are public statements and count as a council record as well as evidence of the Council's work. They can be used as reference at any time in the future and you are responsible for anything that you say online.

Behaviour outside Work

1. The principles of behaviour and respect for others outlined in this Code extend to other situations outside work that may result in a conflict of interest or impact on your suitability

for your role. For example, abusive, violent, or discriminatory behaviour towards another person outside of your workplace, could be treated as a breach of this code and result in disciplinary action.

2. You should be aware that it is particularly important that behaviour meets the standards outlined in this code at events that are recognised as council led or organised events.

Accountability

1. As council employees you are responsible for your behaviour, the decisions you make and your use of Council resources and equipment. This section outlines key areas where responsible actions are integral to your role in the Council. This includes your safeguarding duty, your accountabilities in line with key employment policies, environmental responsibility, your use of Council resources and your protection of information.

Safeguarding

1. The Council has a statutory duty to protect children and adults. If, following contacts with adults or children, you have any safeguarding concerns, you should report to the appropriate safeguarding team.

Attendance

1. Levels of attendance have a major impact on the quality of services we can provide to the public.
2. Managers are expected to provide a supportive work environment that promotes health and wellbeing, to enable maximum attendance at work. In return, whilst it is recognised that there may be times when you are prevented from attending work due to ill health, you are expected to take personal responsibility for supporting your health, by, for example attending appointments or treatment programmes where appropriate. You must also follow the attendance reporting and recording procedures set out in the appropriate policy.
3. We are committed to supporting our disabled employees and those staff with physical or mental health conditions, through providing reasonable adjustments, in line with the Equality Act 2010. Managers are responsible for ensuring that reasonable adjustments such as, but not limited to; flexible working, aids and adaptations, disability related leave, assistive technology, and job redesign, are identified, put into place in a timely manner and reviewed regularly for effectiveness or a change of circumstance.

Performance

1. You are responsible for delivering work of the highest possible standard to ensure that the public receives the quality services that they have a right to expect. You are expected

to seek support where you identify a need and discuss any issues that may be impacting on performance with your Manager.

2. Managers are responsible for communicating clear targets and standards, providing appropriate training and support, and ensuring any workplace assessments and adjustments are implemented. Managers and staff should work together to identify development needs and ensure that suitable development plans are put in place.
3. It is recognised that there may be occasions when there are performance issues that need to be addressed.

Health and Safety

1. The Council has a legal duty to ensure that working here is safe and healthy. You also have a personal responsibility for the health and safety of yourself and others. You have a vital duty to raise concerns about health and safety issues, identify hazards, give your opinion on suitable solutions to health and safety problems, participate in training, and contribute to risk assessment and risk control procedures.
2. You must follow established safe systems of work, including the appropriate use of personal protective equipment. At the earliest opportunity report any accidents, incidents and near misses immediately to your line manager. Ensure you have also read the Council's Health and Safety Policy.
3. Managers are responsible for the active promotion of the health, safety and wellbeing of staff and those affected by the work of their teams through risk assessment and consistent application of health and safety arrangements.

Work outside the council

1. All employees have contractual obligations and should not take outside employment which conflicts with Council's interest.
2. All employees graded above spinal column point 28 of the NJC scheme of conditions of service for Local Government Employees are required to obtain the consent of the Council by applying to their Departmental Chief Officer to take outside employment.

Volunteering

1. Volunteering provides a valuable contribution to the community as well as a range of personal benefits and we positively encourage you to participate both outside work or as part of your volunteering leave.
2. There are also an extensive range of public service volunteering activities you can get involved in, which provide important support to critical public services. You are responsible for ensuring that any additional work you undertake does not conflict with your delivery of your primary role within the Council.

Intellectual property

1. The Council will seek to recognise and acknowledge the contributions you make as part of your work, however the intellectual property or copyright of anything created at work as part of your job belongs to the Council. You are not entitled to use, sell or otherwise exploit the rights to this copyright/intellectual property without written permission from the Council and breaching this may be a criminal offence. You should not breach any other employee's intellectual property rights.

Financial Resources

1. The Council's Financial Procedure Rules safeguard our assets and use of resources and you should refer to these when using financial resources, for example when placing orders for goods and services.

Use of Council Systems, Property, Vehicles, Facilities and Equipment

1. The Council's resources are in place to further the council's objectives and deliver council business and should not be used to carry out private work. You must take care when using the council's resources and avoid any damage to them.
2. If you have access to Council assets, which includes property, buildings, cash, equipment, and other assets, including vehicles, you must take responsibility for the security of such assets and ensure assets are managed securely and protected against accidental loss or damage and unauthorised use. Any loss or theft should be reported immediately to your line manager.

Use of Internet or Email

1. Access to email facilities is provided to employees to facilitate council business, but it is recognised that employees may need to use their council account for occasional personal use which is permitted on the conditions set out in the appropriate policy.
2. E-mails will also be monitored using filtering software and all email content must comply with the Council's policy. It is recognised that access to the internet is often essential and necessary for delivering our services. The internet should not however be used in a way which compromises security.
3. There may be occasions when you need to access Council systems from your own personal devices such as laptops/PCs, tablets, or smartphones. It may also be necessary for you to use your own device to facilitate home or mobile working if you are not provided with a mobile Council device. The Internet and Email Policy also sets out the appropriate use of personal devices for these purposes.

Protecting Information

1. Most of us have, as part of our daily role, responsibility for information that must be safeguarded, for example records and details about residents, service users, other employees or partners and businesses. We are trusted with this information and all employees are accountable for ensuring that information is handled, held or shared appropriately. We must make sure:

- i. Information is protected against unauthorised access and loss
 - ii. Confidentiality is ensured
 - iii. The integrity of information is maintained
 - iv. That legal and regulatory requirements are met
2. Any data breaches must be reported to your manager immediately and there are some circumstances where formal disciplinary processes will need to be used. These are, for example, if your behaviour is malicious or criminal in intent, there are repeated mistakes or there is evidence of a reckless failure to follow service procedures.
3. Your responsibilities are set out in the Information Governance policies and guidance that are available on the Council's intranet. You must complete essential Information Governance training. Full details of the requirements of data protection legislation are covered in the Council's Data Protection Policy.

Fairness

This section outlines how you can ensure your work is conducted with objectivity and impartiality. It covers Equality, Diversity and Inclusion, and political neutrality.

Equality, Diversity, and Inclusion

1. Oldham has a rich cultural and ethnic diversity which we celebrate, recognising the positive contribution that our many communities make to the borough. We work to meet and exceed our Public Sector Equality Duty which gives us the responsibility of fostering good relationships with our communities, promoting equality and eliminating discrimination.
2. Respect for others is fundamental to our behaviour as council employees, and essential to working together. All members of the local community, service users and colleagues have a right to be treated with fairness and equality regardless of their 'protected characteristic' in line with the Equality Act 2010.
3. Protected characteristics' include age, disability, gender reassignment, race, religion or philosophical belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. Protection from discrimination extends to perceived as well as actual characteristic.
4. Mutual dignity and respect are vital to strong working relationships. Actions, words, or behaviour that undermine dignity and respect of others will not be tolerated. Any harassment or victimisation at work should be reported to a line manager, or another appropriate manager as soon as possible.

The Flexible Working Policy provides support for employees with responsibilities outside work.

Openness

Openness in all our interactions with the public is essential to developing the trust we need in our services.

Freedom of Information

1. The Council is committed to openness and transparency. We proactively publish a significant amount of information, and make other information publicly available, to support public awareness as well as involvement in our decision making.

2. This principle is supported by The Freedom of Information (FOI) Act 2000 and the Environmental Information Regulations which (unless the information falls within a limited number of exemptions) gives individuals the right of access to recorded information held by the Council.
3. All requests for information should be dealt with in accordance with the Council's procedures. Anyone who makes a request has a right both to be told whether we provide the information, and to be provided with any information that we hold related to the request (unless the information falls within a limited number of exemptions).

Relationship with the press and the media

1. If the press contacts you for comment in the course of your work you must seek advice and authorisation from your Head of Service and the Council's Head of Communications.

Responding to complaints

1. Complaints from members of the public will be dealt with through the Council's complaints procedure. You are expected to be open and honest in responding to any complaints and investigation, and willing to assist as required.

Honesty and Integrity

Honesty and Integrity are fundamental to the relationship we have with our service users and the community we serve.

Political Neutrality

1. You serve the council as a whole and all Councillors, You must remain impartial due to your role as a Council employee and not allow your personal or political opinions to interfere with your work. You must ensure that individual rights of all Members are respected and act in accordance with any rules relating to relationships with Members.
2. On occasions senior officers may be requested to advise or brief political groups. In this instance you must make your Chief Officer aware and seek advice to ensure that this is done in a way which does not compromise political neutrality.
3. If you are in a politically restricted post, this will be incorporated into your terms and conditions of employment and you should be advised on these restrictions as part of your induction into the Council. This means you cannot undertake certain activities.

Declarations of Interest

1. You must not misuse your position to further private interests or the interests of anyone you have a close personal relationship with. A conflict of interest or association is a situation where a reasonable person might think that someone in the same role as you, with the

same outside interests, could be influenced inappropriately in the decisions or recommendations you make as part of your work for the council. You should also avoid situations where your involvement or contribution could indirectly compromise the interests or values of the council.

2. Close personal relationships include someone you are married/have a civil partnership with or live with, immediate family (parents, siblings, and children) and close personal friends. If there are any conflicts of interest or association, or potential conflicts of interest or association, you must declare them to your line manager.

3. There are several types of interest which you should declare. These include:

- Interests (financial or otherwise) that you, your spouse/partner, or immediate family have in any contract that the Council has entered into or proposes to enter into (for example your partner runs a business that is tendering for a Council contract)
- Interests (financial or otherwise) that you, your spouse/partner, or immediate family have that could conflict with the Council's interests
(for example, you are a trustee or a board member for an organisation that receives Council funding)
- Close personal relationships with people at work that could cause a conflict with the Council's interests. This could be, for example you are involved in employment decisions in your service where immediate family also works.
- Membership of any organisation whose membership could conflict with your employment with the Council (for example you are a member of Governing Body at an establishment that receives Council funding).
- Outside work (paid or unpaid) that may impact adversely on your employment in the Council (for example you are a Director or Partner in a Business which has a relationship with the Council)
- Any other known/possible conflicts or outside activities that the Council should be aware of (for example you are involved in policy development in Social Care and a member of your immediate family is in care in the area in which you work)

4. If it comes to your knowledge that a contract in which you have a financial interest has been or is proposed to be entered into by the Council you must disclose this to your line manager.

5. If you do declare any conflicts of interest you should provide the following information:

- The actual or potential conflict and the parties involved
- Context to explain why there is conflict
- Name of the individuals or organisations involved
- Explain if this will be ongoing or specific to a particular decision or piece of work

6. You are required to complete the declaration of interest form. You should consider any new interests that you, your spouse/partner or immediate family or close personal friend may have during the year and any changes should be recorded in a new declaration.

7. An officer shall not accept any fee or reward other than the proper remuneration.

Procurement

1. The tendering process must be fair and transparent. If you are involved in the procurement process you should be clear on your role. If you have both a client and contractor responsibility you must be open and accountable in relation to both roles and declare this as a conflict of interest so that appropriate actions can be taken.
2. You should be fair and impartial when dealing with all service users, suppliers, contractors and subcontractors. Any conflict of interest should be declared, in line with the Declarations of Interest section of this Code, and you should not invite bids from any individual or organisation with whom you have a close personal relationship. If you have access to confidential information on tenders or costs for either internal or external contracts you should not disclose that information to any unauthorised party or organisation.
3. When awarding contracts, you should be mindful of any potential conflict of interest arising from involvement with external contractors or potential contractors, who employ, in a senior or relevant managerial capacity, people you have close personal relationships with.

Recruitment, Selection and Promotion

1. If you are involved in the recruitment process you must make sure that all appointments are made on merit. It is unlawful for you to make an appointment which is based on anything other than the ability of the candidate to undertake the duties of the post.
2. If you have a close personal relationship with the applicant you must not take any part in the recruitment or selection process involving that applicant. The Council's application forms ask candidates to make a declaration of any potential conflicts they are aware of. You must also inform the recruitment manager if a personal or business relationship exists.
3. You should not be involved in decisions relating to promotion or pay adjustments for anyone with whom you have a close personal relationship.

Gifts and Hospitality

1. As a general rule, offers of hospitality and/or gifts should be declined.
2. You must never accept gifts or hospitality in the following circumstances:
 - as motivation or reward for delivery of a Service
 - where acceptance places you under inappropriate obligation
 - if acceptance could be open to misunderstanding

3. Failure to comply with these standards could lead to disciplinary action. Also, under the Bribery Act 2011, individuals can be prosecuted for accepting or offering bribes.

Accepting Hospitality

1. You may, as part of your duties, be required to represent the Council where hospitality may be offered. Hospitality includes offers of transport, refreshments, meals, accommodation, or events that would normally be paid for.
2. You must make a judgement regarding whether it is appropriate to accept hospitality in any particular case. Where hospitality is offered it should be recorded in the Gifts and Hospitality Register. If you consider it appropriate to attend the event you should ensure that this is authorised by your Head of Service. You do not, however, need to get authorisation to accept a modest working lunch or refreshments received as part of a conference/course that you attend.

Acceptance of Gifts

1. As a general rule, you should not accept gifts from service users, contractors or outside suppliers, commercial partners, or sponsors. All gifts offered (including any declined) should be recorded in the Gifts and Hospitality Register.
2. There is a general exception to this rule in relation to gifts of a modest kind which could include pens or diaries, or other unexpensive item of office equipment which could be received, for example at a conference you attend to develop your professional knowledge. There is no requirement to declare the gift in these circumstances.
3. There are also a few exceptional circumstances where refusing gifts may cause offence and damage relationships with stakeholders. This could be, a very small gift given as a gesture by a service user for services received (for example following a bereavement) where the situation is sensitive, and refusal may cause offence. In these situations, it may not be practical to obtain Head of Service authorisation prior to acceptance and judgement should be applied in each case.
4. In these circumstances it is important that, following acceptance of the gift a decision is made, with your Head of Service, on the most appropriate use for the gift. Options include donating the gift to charity or retaining it within the office if this is not practical. This ensures that you as an individual have not inappropriately benefited from the gift. Heads of Service must indicate they approve the use of the gift in the Gifts and Hospitality Register.
5. Heads of Service are responsible for maintaining registers and ensuring regular review of them. Any issues or risks associated with gifts and hospitality should be escalated to Chief Officers who should have regular opportunity to scrutinise registers.

Criminal Offences

1. You are expected to work within the law. In addition, failure to uphold the law outside work could damage public confidence in you or the Council. Notify the Council immediately in

writing if you are arrested, charged with or convicted of any offence. If the offence damages public confidence in you or the Council; or makes you unsuitable for the job you do, this may impact on your employment and will be dealt with under the Disciplinary Policy.

2. You must cooperate with any checking process where posts are identified as requiring disclosure of criminal convictions, particularly where there is a legal requirement to do so.

Raising Concerns

1. If you become aware of any significant deficiency of service provision, wrongdoing, fraud, customer abuse, breach of procedure or malpractice, you must report this to the appropriate level of management.
2. If you become aware of activities that are illegal, unethical or violate this Code, you must also report this in accordance with the Council's Whistleblowing Policy.

Leadership

Those undertaking leadership roles are responsible for the delivery of high quality providing positive influence, supporting and demonstrating trust in staff and modelling the ethical behaviours needed from their teams. Managers are responsible for ensuring clarity of role and monitoring performance .