

Dartford Borough Council - Conduct for Employees

1. Purpose

- 1.1 A code of conduct for employees provides staff with an effective ethical framework within which to work and it should give the Council's communities confidence that the staff are working on their behalf in an appropriate manner.

2. Standards

- 2.1 The public is entitled to expect the highest standards of conduct from all local government employees. The role of employees is to serve the Council in providing advice, implementing its policies and delivering services to the local community. In performing their duties, they must act with integrity, honesty, impartiality and objectivity.
- 2.2 Where an employee becomes aware of activities which that employee believes to be illegal, improper or unethical, the employee should report this to an appropriate manager through the Council's agreed procedures.

3. Accountability

- 3.1 Employees are accountable, and owe a duty to the Council. They should act in accordance with the principles set out in this Code, recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.

4. Disclosure of information

- 4.1 It is generally accepted that openness in the dissemination of information and decision-making is best. However, certain information may be confidential or sensitive and therefore not appropriate to a wide audience. Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone other than a relevant Council employee or other person who is entitled to receive it, or needs to have access to it for the proper discharge of their functions.
- 4.2 The law requires that certain types of information must be available to councillors, auditors, government departments, service users and the public. The Council may decide to be open about other types of information. Employees should be aware of which information the

Council is, and is not, open about, and act accordingly.

- 4.3 Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way. Any particular information received by an employee from a councillor, which is personal to that councillor and does not belong to the Council, should not be divulged by the employee without the prior approval of that councillor – except where such disclosure is required or sanctioned by the law.
- 4.4 Nothing in this Code can be taken as overriding statutory or common law obligations to keep certain information confidential, or to divulge certain information.

5. Political neutrality

- 5.1 Employees serve the Council as a whole and must ensure the individual rights of all councillors are respected. Employees may be required to advise political groups and should do so in ways which do not compromise their political neutrality. Employees, whether or not politically restricted, should follow every lawfully expressed policy of the Council and should not allow their own personal or political opinions to interfere with their work. Where employees are politically restricted, by reason of the post they hold or the nature of the work they do, they must comply with any statutory restrictions on political activities.

6. Relationships

6.1 Councillors

- 6.1.1 Employees are responsible to the Council through its senior managers. For some, their role is to give advice to councillors and senior managers, and all are there to carry out the Council's work. Mutual respect between employees and councillors is essential to good local government and working relationships should be kept on a professional basis.

6.2 Other employees, the public and service users

- 6.2.1 Employees should remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community, and to other employees, as defined by the policies of the Council.

6.3 Contractors and external agencies

6.3.1 All relationships whether of a business or private nature which could or could be perceived to have a detrimental effect or undue influence to the detriment of the Council should be made known to the appropriate manager. Orders and contracts must be awarded in accordance with the Council's Procurement Guide and Contract Standing Orders. No special favour should be shown to businesses run by friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

6.3.2 Employees who engage or supervise contractors, or who have any other official relationship with contractors and have previously had, or currently have, a relationship of any type which could or could be perceived to have undue influence to the detriment of the Council, should declare that relationship to the appropriate manager.

7. Appointment and other employment matters

7.1 Employees involved in recruitment and appointment of staff should ensure these are made on the basis of merit. It would be unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post.

7.2 To avoid any accusation of bias, employees should not be involved in any appointment, or any other decision relating to discipline, promotion or pay and conditions for any other employee, or prospective employee, to whom they are related or with whom they have a close personal relationship outside work.

8. Outside commitments

8.1 Employees' conditions of service require them to obtain written consent to take any outside employment. All employees should be clear about their contractual obligations and should not take outside employment which conflicts with the Council's interests.

8.2 Employees should follow the Council's rules on the ownership of intellectual property or copyright created during their employment (see employee handbook for further details).

9. Personal interests

- 9.1 Employees must not allow their private interests or beliefs to conflict with their professional duty. They must not misuse their official position or information acquired in the course of their employment to further their private interest or the interests of others.
- 9.2 Employees must declare, to the appropriate manager, any financial or non-financial interests which could conflict with the Council's interests.
- 9.3 Employees should declare to the appropriate manager 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.

10. Equality

- 10.1 All those working for or with the Council, members of the local community, customers and service users of the Council have the right to be treated with fairness, equity, dignity and respect. Employees should ensure that policies relating to equality, as agreed by the Council are complied with, in addition to the requirements of the law.

11. Separation of roles during tendering

- 11.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the Council. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- 11.2 Employees in contractor or client units should exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- 11.3 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.
- 11.4 Employees contemplating a management buyout should, as soon as they have formed a definite intent, inform the appropriate manager and withdraw from the contract awarding processes.
- 11.5 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 run by them or employing them in a senior or relevant managerial capacity.

12. Anti- Corruption & Bribery

12.1 Employees must be aware that it is a criminal offence for them to offer, provide, authorise, request or receive a bribe or anything that may be construed as a bribe. Acceptance of bribes in any form (including favours) is unacceptable and will lead to disciplinary action. Employees should ensure that policies relating to anti- corruption and bribery, as agreed by the Council, are complied with, in addition to the requirements of the law.

13. Use of financial resources

13.1 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. Employees must not utilise property, vehicles or other facilities of the Council for personal use unless authorised to do so.

14. Hospitality and Gifts

14.1 Employees should only accept offers of hospitality if there is a genuine need to represent the Council. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community, or where the Council should be seen to be represented. They should be authorised by the relevant Director and recorded.

14.2 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.

14.3 Employees should not accept significant personal gifts from contractors and outside suppliers. Gifts up to a maximum value of £100 are allowed (see employee handbook for further details).

14.4 When receiving authorised hospitality, employees should be particularly sensitive as to its timing in relation to decisions that the Council may be taking affecting those providing the hospitality.

14.5 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 and where the relevant Director gives consent in advance. Where visits to inspect equipment, etc, are required, employees should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

- 14.6 Accepting a gift or hospitality can be perceived as compromising a member of staff. If a member of staff is in any doubt about accepting any offer (even if less than £100) they should seek approval from their Director.

15. Sponsorship – giving and receiving

- 15.1 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.
- 15.2 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.