



ST HELENS
BOROUGH COUNCIL

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Code of Conduct for Employees

St Helens Borough Council

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Policy Title

Policy Information

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Our Vision and Values

The Council has co-designed a clear vision for workplace culture and worked together with employees to identify values and behaviours for everyone. These will be at the core of how we work together to deliver our services. Employees will be empowered to deliver new ways of thinking and new ways of working, encouraging innovation and creativity in a learning environment.

Our vision, values and behaviours are underpinned by our Bonds for Working Together at St Helens which outline what employees can expect from working at the Council and what is expected of them.

Our Culture, vision, values, behaviours and Bonds for Working Together at St Helens



Introduction and Purpose

Local Government is a public service and the public expect the highest standards of conduct from all employees who work in local government. It is important that employees conduct themselves in a manner which is beyond reproach and can be defended in the face of public concern.

A fundamental aspect of the code of conduct are “The Seven Principles of Public Life” identified by the Nolan Committee on Standards in Public Life. The committee was established to examine concerns about standards of conduct of all holders of public office, including arrangements relating to financial and commercial activities. The seven principals are:

- 1) Selflessness,
- 2) Integrity,
- 3) Objectivity,
- 4) Accountability,
- 5) Openness,
- 6) Honesty,
- 7) Leadership.

Further information relating to the Seven Principles of Public Life can be found [via this link](#).

Policy Statement

The Code of Conduct for Employees is a set of rules outlining the responsibilities, practices and conduct expected from an employee at the Council in their daily work and in their dealings with Councillors, colleagues and the public. It provides clear and helpful advice and instruction.

The principles detailed below govern St Helens Borough Council employees, but each Department may wish to issue further standards specifically relating to departmental service requirements which can supplement, but not contradict, the principles contained in this Code. It is intended that these principles will also complement the requirements set down by relevant professional bodies.

Scope of the Policy

This Code of Conduct applies to all employees of St Helens Borough Council except schools-based employees for which a separate code exists. The Code extends to secondees from outside the Council and agency/consultancy staff, who will be expected to familiarise themselves with the content of the Code of Conduct and undertake their duties in compliance with it. It applies to employee’s conduct both within the Council and when dealing with other organisations as a representative of the Council and also applies to an employee’s conduct outside of work if such conduct could lead to a loss of trust in an individual as an employee.

The Code of Conduct forms part of an employee’s contract of employment. Failure to comply with its contents may result in disciplinary action, which could include dismissal.

Definitions and Abbreviations

In the Policy, the following words and phrases mean:

Council - St Helens Borough Council

Employee - Those employed by St Helens Borough Council including agency/consultancy staff, secondees to the organisation and those employed under partnership arrangements but excluding those employed in schools.

Conflict of Interest - A conflict of interest arises: *“when an employee has competing interests or loyalties that either are, or potentially could be, at odds with each other. A conflict of interest potentially causes an employee to experience a struggle between their interests, points of view, or allegiances, and their employment”.*

Perceived Conflict of Interest - is one which a reasonable person would consider likely to compromise objectivity.

Potential Conflict of Interest - is a situation, which could develop into an actual or perceived conflict of interest.

The Council’s Expectations from Employees

The Council’s Bonds for Working Together at St Helens as referred to above outlines the Council’s expectations from employees and what employees should expect from the Council as an employer. They underpin the Council’s vision, values and behaviours. Employees should ensure they are familiar with the Council’s culture, vision, values, behaviours and Bonds for Working Together.

Accountability

Employees are accountable for their actions and owe a duty of care when carrying out their duties at the Council to act in accordance with the principles set out in this Code.

Standards

Council employees are expected to give the highest possible standard of service to the public.

Employees have:

- a duty of service – to work in accordance with their contract of employment;
- a duty to comply with reasonable instructions, procedures, and regulations;
- a duty of care – to be competent and capable and not to be negligent in work;
- a duty of good faith – to be honest and not accept a fee or commission or gifts from those who do business with the Council or to divulge confidential information about the Council.

Employees should:

- Trust each other,
- Work with integrity,
- Collaborate together,
- Keep innovating together.

Employees are expected to:

- Be positive, provide impartial advice to, be helpful and co-operative in dealing with colleagues, elected members, and the public;
- Ensure that their personal appearance is consistent with the public’s expectations, bearing in mind the work they do;
- Bring to the attention of the management any deficiency in the provision of service.

Employees who are members of a professional body should carry out their duties in accordance with the professional standards of the appropriate body or institution in addition to any standards determined by the Council. Those employees who hold managerial and/or supervisory roles, have greater positions of trust and are expected to set an example to other employees in observing the standards and practices of the Council. Terms detailed or implied in their contracts of employment place additional emphasis on behaviour towards and responsibility for others.

Identification

All employees must possess an up-to-date official Council Identity Badge so that the employee can be easily identified as a Council employee. Identity badges should be worn at all times by those employees who are customer facing or who represent the Council. Should an employee be exempt from wearing a Council identity badge they are still required to carry an Identity Badge about their person. Council employees should be prepared to show their identity badge when requested whilst on Council business.

Political Neutrality

The main provisions regarding politically restricted posts are set out in Part 1 of the Local Government and Housing Act 1989 (as amended). The law aims to ensure the political impartiality of local government employees who hold posts involving duties of a politically sensitive nature. The effect of including a post on the list of politically restricted posts is to prevent the postholder from having any active political role either in or outside the workplace. Employees should not allow their own personal or political opinions interfere with their work.

Employees within politically restricted posts are permitted to join political parties but must have no active participation within the party.

Politically restricted posts fall into four categories of local government officer as follows:

a) Posts individually identified in the legislation, either by name or by their relationship to other senior officers; b) Posts where the duties of the post include giving advice on a regular basis to the authority themselves, to Cabinet, to any committee or sub-committee of the Council or any joint committee on which the Council is represented and/or speaking on behalf of the Council on a regular basis to journalists or broadcasters; c) Posts to which duties have been delegated under the Scheme of Delegation to Officers; d) Political Assistants.

A list of Politically Restricted posts is available [via this link](#). This will be agreed and reviewed annually by the Chief Executive.

Relationships

Relationships with Councillors

Councillors and Council employees are indispensable to one another, albeit with distinct responsibilities. Councillors are responsible to the electorate and serve only so long as their term of office lasts. Council employees are responsible to the Council and their job is to carry out the Council's work under the direction and control of the Council, the Cabinet, Committees and sub-committees, and their managers.

Mutual respect between Councillors and Council employees is essential for good local government. Close personal familiarity between individual Councillors and Council employees

can damage the relationship and prove embarrassing to other Councillors and Council employees.

Employees must not use personal relationships with Councillors to influence or attempt to influence any decision-making process of the Council or to interfere with the proper implementation of Council decisions.

Relationships with External Providers of Goods or Services

Relationships that exist or have existed between officers and contractors or suppliers, or with organisations/individuals who provide goods and services for or on behalf of the Council, whether financial or non-financial, must be declared. External providers of goods and services must be dealt with in a fair and equitable manner with no advantageous, disadvantageous or prejudicial treatment afforded to individuals/organisations.

Employees who procure/commission/monitor external providers of goods and services to the Council with whom they previously had or currently have a relationship in a private/domestic or professional capacity must declare that relationship. If private relationships become unavoidable, for example if the private relationship preceded the Council's business relationship, then the nature of the private relationship must be declared.

External providers of services to the Council must not be used in a private capacity by any employee who has had or is engaged in a working/professional relationship with the contractor or supplier where the employee may benefit from that relationship.

Similarly, external providers of services to the Council must not be approached by employees in any capacity, to provide goods and services at preferential rates by virtue of employees' dealings on behalf of the Council. This does not apply to employees purchasing goods or services at normal rates from Council suppliers in their capacity as a member of the public. Exceptions to the above are those organisations who have been approved or authorised by the Council to offer preferential rates for their goods and services to **all** employees of the Council.

Relationships with the General Public

Employees should always remember their responsibilities to the communities they serve, and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community. Each member of the public should be treated fairly, equitably and consistently in line with the Council's Equality Policy.

Equality, Diversity and Inclusion

The Public Sector Equality Duty of the Equality Act 2010 applies to both employment at the Council and in the delivery of Council Services. The Council's Comprehensive Equality Policy sets out the duties and requirements of the Equality Act 2010, and other relevant legislation.

The Equality Act 2010 protects all people from discrimination, harassment and victimisation. The Council is committed to promoting equal opportunities in employment and all employees will receive equal treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, religion or belief, sex or sexual orientation or caring responsibility.

The Council has a zero tolerance towards discrimination, harassment and victimisation. All employees must show due regard to acknowledge and value people's differences, and, as far

as possible, where permissible in Council policy and practice, meet an individual's needs in accordance with their choices and preferences.

The minimum standard of behaviour and attitude expected of council staff is to ensure all people who employees come into contact with are given equal opportunities and treated fairly and respectfully.

Disclosure of Information/Data Protection/Confidentiality

Important statutes such as the Data Protection Act 2018, UK General Data Protection Regulations and the Freedom of Information Act 2000 have had a major impact on the uses of data at the Council and employees must familiarise themselves with the Council's policies and guidelines on these.

Information produced by the Council must only be used for the purposes intended and must only be disclosed or communicated to authorised persons. Personal data should not be shared or released into the public domain without first confirming that the Council is legally able to do so.

Confidential information obtained in the course of employment must not be used personally, or for benefit or gain, nor should employees knowingly pass it on to others who might use it in such a way.

Whistleblowing Policy

The Council is committed to the highest possible standards of openness, probity and accountability. In accordance with that commitment the Council expects employees and others that we deal with, who have serious concerns about any aspect of the Council's business, to come forward and voice those concerns. The Whistleblowing Policy makes it clear that employees can do so without fear of victimisation, subsequent discrimination or disadvantage and encourages and enables employees to raise concerns..

The Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures. That concern may be about something that is unlawful, or is against the Council's Standing Orders or policies, or falls below established standards or practices or amounts to improper conduct.

There is a statutory requirement for the Council and its employees to protect children and vulnerable adults. If employees have any safeguarding related concerns, they are responsible for raising them promptly following the organisational Safeguarding Policy.

Conflict of Interest

For the purpose of this policy, the term 'conflict of interest' includes perceived and potential as well as actual conflicts of interest.

The easiest way to deal with potential conflicts of interest is openness and transparency. The onus is on employees to ascertain whether any conflict is present and if they identify any potential or actual conflicts, or issues that may influence them, or others may think could influence them, they are required to declare them to their manager as soon as possible.

Employees should also be prepared to withdraw or may be instructed to withdraw from any processes or involvement in decision making that may be linked to their actual or perceived conflict of interest.

The Council provides a diverse range of services and carries out many duties and it is virtually impossible to outline all scenarios where conflicts could occur. Given this, employees should always seek guidance from their manager if any personal doubts arise regarding their dealings within processes or delivering services.

Registration of Personal or Business Interests where there is a potential Conflict of Interest

The purpose of a declaration in such an instance is to show transparency in the relationship between the Council, the organisation and the employee.

All employees irrespective of grade or status must declare any interest that could bring about a conflict with the Council's interests e.g. acting as a school governor or involvement with any organisation or group which may seek to influence the Council's policies, and/or seek funding grants. Employees who carry out any form of public duty must declare this fact. Similarly, employees who are involved with any organisation which is sponsored by or receives donations from the Council, or which sponsors the Council, must declare these facts.

Employees irrespective of grade or status must declare any family/personal relationships if these have any involvement in any organisation or business which carries out work on or applies to carry out work on behalf of the Council or on Council property. These relationships must be declared on the appropriate form accessible [via this link](#).

Employees who are members of organisations not open to the public and which have secrecy about rules, membership or conduct, must declare this membership.

Where there are declared conflicts of interest that could bring into question the employee continuing in their role or carrying out some of their work or day to day activities, employees may be required to relinquish certain activities or required to withdraw from certain decision-making processes whilst those conflicts exist.

Personal Relationships/Friendships

If a personal relationship exists or develops during the course of employment, it should be declared where a potential, perceived or actual conflict of interest may exist.

Declarations by Senior Officers

All members of the Council's Corporate Leadership Team, Senior Leadership Team and specified posts must make an annual declaration of any personal interests they may have. All employees in these posts will be expected to make a declaration even if it is simply to formally state that they have no interests to declare. The list of posts who are required to make annual declarations is available [via this link](#).

Registration of personal or business interests should be recorded on the Registration of Personal or Business Interests form, available [via this link](#).

Additional Employment

It is recognised that employees may wish to engage in other employment or business in addition to undertaking their current role at the Council. In this respect the requirements of individual employees will be dependent on their grade and seniority of position.

All employees regardless of grade, or employment status, must not engage in any other work or activity, which might relate in any way or be seen to **conflict** with their employment at the Council without permission. If there may be a potential conflict of interest employees will need to seek permission by completing Permission to Engage in Additional Employment Form. The relevant form to be completed will be determined by the employee's grade.

Employees graded SCP22 and above must seek permission to engage in any other employment or business paid or unpaid, even if this does not conflict with Council employment or duties. To seek permission employees must follow the guidance attached [via this link](#).

For those employees graded below SCP22, permission is not necessary to engage in other employment or other business where this work does not relate or conflict with their duties, however employees are still required to notify their manager of any additional work undertaken. This should be done using the form available [via this link](#). The Council has statutory obligations in respect of the Working Time Regulations 1998 (as amended) and has a duty of care to employees in respect of their Health and Safety. As such it is necessary to take an interest in any proposed additional employment.

All employees, irrespective of grade or status, must not involve themselves in any organisation or business on a regular or casual basis, which carries out work on behalf of the Council or on Council property, nor must they hold any financial or business interest in such organisation. This includes being a Director of the company, a Company Secretary, Trustee or Partner of a company or any other financial interest. Examples of where a potential conflict could exist is available within the Code of Conduct for Employees Guidance, accessible [via this link](#).

Stewardship

Financial Procedure Rules

All employees involved in financial activities, transactions or financial instructions on behalf of the Council must follow the Financial Procedure Rules and Financial Instructions as approved by the Council. All employees must ensure that they use public funds 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 Authority.

Financial Probity

Whilst an employee's personal finances should remain private, employees must ensure that where they have a financial relationship with the Council, outside their contract of employment that these affairs are conducted with honesty and integrity. In all personal financial dealings with the Council, employees must not deliberately evade any debts owed to the Council or seek to obtain monies from the Council to which they are not legally entitled. Financial dealings may include payments relating to Council Tax, benefits, fines, compensation, salary overpayments etc.

Employees in breach of these requirements may be subject to the disciplinary procedure and this may constitute gross misconduct.

Care and Use of Council Resources

Council resources, whether tangible assets such as materials, equipment and cash, or business information, may only be used for the proper advancement of the business of the Council, and for no other reasons.

Security and Use of Computer Data/Equipment

The information stored and processed on the information technology systems operated by the Council is of paramount importance and it is essential that the data and systems are adequately secured against risks such as operator errors, theft of equipment, unauthorised access to or copying of programmes and the use of unauthorised software on Council machines. In this regard, relevant legislation, in the form of the Data Protection Act 2018, and the Computer Misuse Act 1990 must be complied with.

Employees must endeavour to ensure that no unauthorised person gains access to equipment/data, which is within their responsibilities. User identifications and passwords must not be disclosed to anyone, and passwords must be changed regularly to a previously unused password.

Internet/Email/Social Media

The Council permits reasonable, personal use of email and the Internet for employees in accordance with the Council's Internet & Electronic Communications Policy. The use of social media applications for official use is addressed in the Social Media Policy which can be accessed on the Council's Intranet. When using social media for personal reasons, employees should not publish defamatory and/or knowingly false material about St Helens Borough Council, colleagues or customers. Employees should not publish anything, which may have the potential, through association, to bring the Council into disrepute.

Intellectual Property

Intellectual property that is produced by employees in the course of employment as part of the normal duties associated with the employee's contract of employment, the copyright belongs to the Council and therefore they cannot be sold, marketed or lent to any other person or organisation without prior written permission of the Council.

Press and Media

In the normal course of events, employees should not be required to deal directly with the Press or the Media. If canvassed by the Press for information in the course of their work, employees must seek advice and express authorisation from their Head of Service and the Press Office prior to providing any article, publication or interview given on aspects of Council policy.

Employees should consider whether any public statement made about the Council whether as a spokesperson for an organisation or as an individual could reflect adversely upon the employer-employee relationship.

Gifts and Hospitality

It is a serious criminal offence to corruptly receive or give any gift, loan, fee, reward or advantage. If an allegation is made employees may have to demonstrate that any such rewards have not been corruptly obtained.

Employees are not permitted to receive any hospitality, gift or fee other than their appropriate remuneration; employees should tactfully refuse offers of gifts or hospitality or services from organisations or persons who do or might provide work, goods or services to the Council or

who require a decision from the Council. Employees must not accept or solicit gifts, additional payments or any other personal advantage from any service user, potential or actual contractor or supplier.

Gifts

Employees may accept gifts of token value such as pens, diaries, etc. from potential or actual contractors or suppliers. Such gifts may be kept for business use. They must not accept gratuities or tips; these should be politely refused.

Individual employees or the service within which they work, may receive gifts from current or former colleagues. These gifts are acceptable and there is no requirement to declare them.

If an employee receives a gift of more than token or nominal value and it would cause offence or be impracticable to return it, they should register the gift and inform their manager by completing Approval Form for Gifts and Hospitality, available [via this link](#). Such gifts will normally be donated to the Mayor's charity. Any gifts received must be entered into the Register of Gifts and Hospitality held by People Management.

If an employee is offered a gift and they believe or suspect that the offer is made with the intention of influencing them to give favourable treatment to a service user, potential or actual contractor or supplier, they must inform their Manager, Head of People Management or the Internal Audit Section.

Official Hospitality

Some employees will be expected to attend official functions and events on behalf of the Council and sometimes will accompany Councillors. It is quite acceptable and proper that this reasonable hospitality be accepted and there is no requirement for the employee to declare it. When receiving authorised hospitality, employees should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality.

Hospitality at Conferences, Seminars/Training Courses

Some employees' professional duties will require them to attend conferences, seminars, briefings etc. As part of the fee, which is usually paid by the Council, hospitality will be offered in the form of lunches, dinners or receptions. Provided that this is an integral part of the event and offered generally to all participants there is no requirement to declare this. At certain events, organisations may provide hospitality over and above that included in the fee. Employees should declare all hospitality offered over and above that included in the event fee albeit this may be in retrospect.

Day to Day Working/Hospitality

During employees' day to day business, it is possible that an employee will be offered refreshments. In these situations, employees should exercise caution and professional judgement without causing offence to the other party.

Employees should not allow a potential or actual contractor or supplier to pay for them to visit their sites or premises to inspect their goods or services. If such visits are necessary, the Council will meet the costs involved. When visiting potential or actual contractors or suppliers employees may accept refreshments appropriate to a work situation.

Private/Recreational Hospitality

Hospitality may be offered to employees by organisations with speculative or established links to the Council. This hospitality usually has a recreational base and includes sporting events, theatre tickets, holidays, spa days etc., but could also extend to invitations to dinners and or events organised by institutions or consultants. This type of hospitality must be declined and declared and recorded in the central register in the People Management Section. Where such hospitality is related to the role of officers and part of stakeholder management and relationship building, in the conduct of council business, then this should be declared in the register of gifts and hospitality. Employees must not solicit hospitality from potential or actual contractors or suppliers.

Employees must not accept offers of hospitality unless they have the permission of the Chief Executive. Hospitality, which they have permission to accept, must be registered in the Register of Gifts and Hospitality.

Sponsorship

Where an outside organisation wishes to sponsor a Council activity, whether by invitation, tender, negotiation, or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply.

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 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.

Wages and Recoupment

There may be times where there has been an overpayment made to salary. Employees are reminded that they have an obligation to contact the Payroll Team and report any overpayment if suspected. The Council reserves the right to require repayment, either by deduction from salary or other accepted methods. In each case individual circumstances will be taken into account when deciding the period over which the repayment is to be made.

Health and Safety

In the interests of the public and colleagues you must adhere to the Council's Core Health and Safety Procedures.

Recordings

The Council does not permit covert recording under any circumstances. The recording of meetings or conversations is only permitted after permission has been obtained from all those present. This does not affect an employee's right to request any reasonable adjustments relating to a disability.

Reconsideration

All matters relating to registering interests or seeking additional employment will be decided by the Chief Executive. Employees who are dissatisfied with the response of the Chief Executive may write requesting reconsideration of the issue. This should include further evidence that may assist the Chief Executive.