



St Stephen in Brannel Parish Council

Mrs Linda Ranger - Clerk and RFO
E-mail: clerk@ststepheninbrannel-pc.org.uk
www.ststepheninbrannel-pc.org.uk

Office 2, Brannel Room
22 Fore Street, St Stephen
St Austell, PL26 7NN
Tel: 01726 823003
Fax: 01726 821233

Code of Conduct for Employees¹

Aims and Objectives

The public is entitled to expect the highest standards of conduct of Parish Council employees. The aim of this Code is to ensure that the rules and standards, that the Parish Council expects of its employees, are clear.

Breaches of the standards set out in this Code will be dealt with under the Disciplinary Policy.

Scope

The provisions of the Code will apply to all Parish Council employees, volunteers, casual workers, consultants and anyone else who is providing a service on behalf of the Parish Council in all activities in which they are engaged in the course of their employment, whether or not they take place at their normal place of work. This includes work related functions that take place outside normal working hours.

Roles and Responsibilities

It is the responsibility of all employees to read, understand and work in accordance with the Code of Conduct and to:

- Maintain conduct of the highest standard such that public confidence in their integrity is sustained;
- To be fair and honest in all activities at work;
- Incorporate and promote equality and diversity in all that is done;
- Ask for clarification on any aspects of the Code when there is uncertainty;
- Role model the required standards of behaviour; and
- Take appropriate action at the earliest opportunity to report with noncompliance with the standards of the Code.

The Employee Code of Conduct

1. Public Concern

The public expects conduct of the highest standards from Parish Council employees and their confidence would be shaken if the least suspicion arose that any employee might be influenced by improper motives.

2. Corruption

Employees who have public funds and/or assets entrusted to them must use them responsibly and lawfully.

¹ Adopted by Full Council at the meeting held on Wednesday 4th March 2020 under minute number FPC68/20. Due for review in 2023.

Employees must not receive or give any gift, loan, fee, reward or advantage for acting or failing to act or for showing favour or disfavour to any person in their official capacity.

3. Private Purchasing

Employees must not use the Parish Council's purchasing systems to purchase items for private use or to secure personal advantage. Employees are not entitled to receive any discount or advantage as a result of their employment with the Parish Council unless this is permitted by the Clerk.

4. Equality

Employees must ensure that they treat colleagues, members of the public and Councillors fairly, impartially and with dignity and respect.

5. Political Neutrality

Some employees may be required to provide information and advice to individual Councillors. In so doing, they must ensure that they remain politically neutral.

6. Copyright

All records, documents and other papers relating to the Parish Council's business which are made or obtained by employees in the course of their employment are the property of the Parish Council. The copyright on all such documents belongs to the Parish Council.

7. Committee procedures and contact with the media

Employees must not disclose to the public or media the contents of a confidential or exempt report made to a Committee or Full Council. Where a Committee considers matters in confidential session, those proceedings, including all documentation before the Committee, must not be disclosed to members of the public unless required by law or expressly authorised.

Employees must not make statements on matters of policy to the media without consulting the Clerk.

8. Confidential Information

Employees will often receive written, oral and computerised information which is of a confidential nature. Employees must be aware which information in the Parish Council's possession is classed as confidential and act accordingly. Information which is classed as confidential must not be disclosed except where there is a legitimate reason to do and not otherwise unless specific approval has been given by the Clerk. If there is doubt about whether information can be disclosed, employees must consult with the Clerk.

Deliberate disclosure of confidential information may be considered gross misconduct and may result in dismissal under the Parish Council's Disciplinary procedure. It may also be a criminal offence and lead to criminal proceedings during and potentially after the employee's employment has ended.

Any breach of confidential information will be reported to the Information Commissioners Office.

9. Personal Information

Employees must not provide information held by the Parish Council about Councillors, members of the public or personal information concerning other employees without

their consent. Exceptionally, such information may be disclosed where it is allowed in law, where it is necessary to co-operate with the investigations of official agencies and in the provision of confidential employer references.

Employees must maintain the confidentiality of all personal information that they have access to in the course of their employment.

Deliberate disclosure of personal information may be considered gross misconduct and may result in dismissal under the Parish Council's Disciplinary procedure. It may also be a criminal offence and lead to criminal proceedings during and potentially after the employee's employment has ended.

Any breach of personal information will be reported to the Information Commissioners Office.

10. Record Keeping

Employees are responsible for making relevant records of their dealings with outside bodies including members of the public so that they can be accessed by colleagues if this is appropriate or necessary. For example, the reservation of grave plots.

11. Relationships

Personal Relationships -

Employees are asked to declare to the Clerk any situation where their impartiality, objectivity, or honesty may be compromised due to their being related to or having a close personal relationship with someone at work.

Councillors -

Mutual respect between employees and Councillors is essential to good local government. Employees are required to observe the Protocol on Member/Officer Relations.

Local Community -

Employees have responsibilities to all residents of the Parish and must ensure courteous, efficient and impartial service delivery to all groups and individuals.

Contractors/Procurement -

Orders and contracts must be awarded impartially and on merit through fair competition in accordance with procedure rules and legal provisions. Employees whose work involves the procurement, appointment or supervision of contractors must disclose any former or current private or official relationship with relevant contractors to the Clerk. When a conflict of interest is disclosed, the Parish Council reserves the right to remove the employee from any areas of direct or indirect involvement in the matter concerned.

12. Confidential reporting procedure (Whistleblowing)

The Parish Council is committed to the highest possible standards of openness, probity and accountability, and expects employees who become aware of activities which they believe are illegal, improper, unethical or otherwise inconsistent with this Code to report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998.

Employees must ensure that public interest and assets are protected by reporting immediately to the Clerk or Chairman any concerns about dishonesty or impropriety which they suspect has occurred or is likely to occur. If an employee makes an allegation which it transpires is frivolous, malicious or for personal gain, the Parish Council will treat this as a serious matter which may lead to disciplinary action. Employees must assist in any investigation or hearing into suspected misconduct.

13. Health and Safety

The Health & Safety at Work Act 1974 places a duty on employees, whilst they are at work, to take reasonable care for the health and safety of themselves, others and the premises. Consequently, employees are legally bound to comply with all safety rules and instructions set by the Council.

14. Attendance

Employees must comply with all relevant policies regarding attendance.

15. Other employment

Employees must not allow their private interests to come into conflict with their work. Employees must devote their working hours to the work of the Parish Council and may not engage in any other business or take up any other additional employment without the permission from the Clerk.

This does not preclude employees from undertaking additional work outside their working hours providing that it does not impact on, distract them from or conflict with their Parish Council work and is subject at all times to permission being granted. All employees who undertake additional work (either paid or voluntary) must notify the Clerk in order to ensure compliance with the Working Time Regulations 1998.

Employees are not permitted to carry out private trading in relation to goods or services on Parish Council property nor whilst on Parish Council duties.

16. Alcohol, drugs and other substance misuse

The Parish Council takes the health and well-being of employees seriously and wishes to minimise problems at work arising from the effects of alcohol and drugs (whether prescribed or illegal).

Where the behaviour or performance of employees falls below expected standards and presents a risk to colleagues, Councillors, members of the public or others due to alcohol, drugs or other substance misuse, this will be addressed under the Disciplinary policy.

Employees have a duty to report any problems associated with their ability to drive, use equipment or perform other work related tasks and must not drive or use such equipment whilst their judgment and/or physical ability may be impaired by the use of alcohol, drugs, medicines or fatigue.

17. Fidelity

The Parish Council expect employees to obey lawful and reasonable instructions; to serve the employer personally and faithfully; exercise reasonable care and skill whilst carrying out their duties; abide by legislation; and not to disclose confidential information after the employment ends.

18. Monitoring Officer

Where the Monitoring Officer is undertaking an investigation into any allegation of misconduct by a Member, employees must comply with any reasonable request made by the Monitoring Officer in connection with the investigation.

18. Employment Matters

Employees involved in the decision relating to appointment, promotion, pay, discipline or grievance where the person is a relative, partner or close personal friend must advise their manager of the connection.

19. Safeguarding

The Parish Council has a statutory duty to ensure the safety and welfare of children, young people and adults at risk. All employees who, during the course of their employment, have direct or indirect contact with children or adults at risk, or who have access to information about them, have a responsibility to safeguard. The Safeguarding Policy is available from the Clerk and compliance with it is mandatory.

20. Personal appearance

The Parish Council expects employees to observe a standard of personal appearance which is appropriate to the nature of the work undertaken, follows operational requirements and which portrays a professional approach which the public will have confidence in. Employees are expected to observe a high standard of cleanliness and personal hygiene.

21. Personal Use of Social Media

Employees must not assume that their comments on social media will remain private. Employees must ensure that, in their use of social media, they do not make comments about other employees, Councillors or the Parish Council that could be seen as derogatory, abusive, damaging to reputation or amount to harassment.

No information, including photos, should be made available without permission from the Clerk.

Employees should be mindful that such action could lead to disciplinary or legal action.

22. Use of Parish Council Property

Parish Council assets, which includes stationary, office equipment, tools, machinery, vehicles and car parks (this list is not exhaustive) must only be used for official Parish Council business unless prior permission has been obtained from the Clerk.

All resources must be used with care to avoid wastage, loss or damage.

All Parish Council property must be returned on leaving employment.

23. Notification of Criminal Investigation

This Code places a general obligation on all employees to disclose information which is relevant to their capability, capacity and suitability to carry out the duties and responsibilities for which they are employed. This general obligation applies irrespective of the role undertaken by the employee and is not limited to information which relates to a conviction, caution, reprimand or warning. For employees undertaking roles for which a criminal record disclosure is required there is a specific obligation on them to disclose any convictions, cautions, reprimands or warnings that they receive in the course of or which are relevant to their employment. In all cases a failure to disclose relevant information or the deliberate withholding of such information is likely to amount to a breach of trust and confidence and has the potential to lead to the termination of employment.

For the avoidance of doubt an employee must immediately inform the Clerk in writing, if they are:

- Advised that they are under investigation for a criminal act (including road traffic offences)
- Arrested in connection with a criminal act
- Notified that criminal charges are being considered against them
- In receipt of a summons to appear before a Court of Law for an alleged offence

- Found guilty and convicted of any offence
- Receive a police caution
- Are involved in any other matter which it would be reasonable to think would impact upon their role and or professional standing
- Employees who are required to drive as part of their duties must also declare any penalties received in connection with motoring offences.

Failure to disclose this information may be treated as a disciplinary offence.

24. Hospitality and Gifts

With the exceptions listed below, employees must refuse any personal gift offered to them that has any significant financial or other business connection to the Parish Council. In monetary terms, this is any gift or combination of gifts valued at over £10. If employees are in any doubt, they must refer this to the Clerk immediately.

Exceptions to this requirement are:

- a) A modest gift of a promotional nature given to a wide range of people, such as pens, diaries and other such articles; and
- b) A modest gift where refusal would cause needless offence and the giver is not seeking a business decision but merely wishes to express thanks for service, advice or co-operation received, for example a box of chocolates or a bottle of wine.

At all times employees must consider if the gift is so significant that a member of the public may think that their judgment when dealing with the matter would be prejudiced by the gift.

An employee must not on any occasion accept the offer of money from any organisation, person or person's estate that has or seeks dealings with the Parish Council.

Further Advice

Advice must be sought from the Clerk or Chairman if an employee is in any doubt as to the interpretation of this Code.