

## **THE CONSTITUTION – SECTION 20**

### **OFFICERS' CODE OF CONDUCT - WREXHAM COUNTY BOROUGH COUNCIL EMPLOYEES**

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## **1. INTRODUCTION**

- 1.1 Set out below is the Code of Conduct (the Code) which is incorporated by law into the terms and conditions of employment of every employee of the Council (except teachers). This is based on the National Assembly for Wales Statutory Code of Conduct.
- 1.2 The Code incorporates the Statutory Code and also additional standards which are expected of all employees of Wrexham County Borough Council. The aim of the Code is to lay down the requirements for employees which will help maintain and improve standards and protect employees from any misunderstanding or criticism and is designed to provide clear guidance to assist employees in their day to day work. These are the minimum standards that should apply.
- 1.3 Some of the provisions will affect senior, managerial and professional employees more than others. The Code, however, covers all employees with a contract of employment with the Council, including office holders such as registrars.

## **2. GENERAL PRINCIPLES**

- 2.1 The public is entitled to expect the highest standards of conduct from all employees. The role of such 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 The Code sets out the standards which are expected of an employee and provides a framework which will help to promote best practice. Reference should also be made to [Nolan's Seven Principles of Public Life](#). All employees of the Council are required to observe and uphold the standards of the Code and all policies and procedures of the Council. Failure to do so is a serious matter which could result in disciplinary action, including dismissal.
- 2.3 All employees should therefore read the document carefully and, if they are uncertain about any aspect of its contents, they should contact their immediate manager or supervisor.

## **3. ACCOUNTABILITY**

- 3.1 Employees work for the Council and serve the whole of the Council. Employees are accountable to, and owe a duty to the Council. Employees must 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.
- 3.2 It is important for an employee to recognise what is driving the Council, how the Council will deliver the services and how the Council expects employees to behave as an organisation.

The Council's values are as follows and it is expected that these are demonstrated through employees' behaviours-

- Empowerment
- Trust and Honesty
- Aspiration
- Collaboration
- Making a difference

- Fairness

#### **4. EQUALITY**

All members of the local community, customers and Council employees have a right to be treated fairly and equally. Employees should become familiar with and observe all Council policies relating to equality issues, e.g. The Strategic Equality Plan which reflects the public sector requirements of the Equality Act 2010.

#### **5. STANDARDS AND ATTITUDE**

All 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 performance appropriate advice to councillors and fellow employees with impartiality.

- 5.1 In performing their duties, all employees must act with integrity, honesty, impartiality and objectivity.
- 5.2 Employees' attitudes in dealing with people reflect on the Council so it is important that you are helpful, polite and courteous.
- 5.3 All employees are expected to report, in the first instance to their manager or supervisor, any illegality, impropriety, breach of procedure or policy of the Council.
- 5.4 There are a number of ways available to employees to do this, including the Council's Complaints Procedure, the Whistleblowing Policy (Section 18) or, if it relates to a suspected fraud, to the Audit & Technical Manager.
- 5.5 In all cases, it is not enough to avoid actual impropriety, as public perceptions are very important. Employees should, at all times, avoid any appearance of improper conduct which may give rise to suspicion.

#### **6. CONFIDENTIALITY AND DISCLOSURE OF INFORMATION**

The Council should be open when disseminating information or making decisions. However, certain information may be confidential or sensitive and therefore not appropriate for a wide audience. Employees must follow the Acceptable Use of ICT Policy at all times, especially when dealing with personal or confidential information.

- 6.1 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 member, relevant Council employee or other person who is entitled to receive it, or needs to have access to it for the proper discharge or common law obligations to keep certain information confidential or to divulge certain information.
- 6.2 Nothing in this Code can be taken as overriding existing statutory or common law obligations to keep certain information confidential or to divulge certain information.
- 6.3 It is generally accepted that open government is to be encouraged. The law requires that certain types of information must be available to councillors, auditors, government services, service users and the public. Different rules apply in different situations. If an employee is

in any doubt as to whether they can release any particular information, the employee should always check with their manager or supervisor first.

- 6.4 Executive Board, Council and all Committee Meetings require agendas, reports and background papers to be available for public inspection by law. Detailed guidance is available from the Chief Officer Governance & Customer. Obstruction of a member of the public who wishes to exercise these rights is a criminal offence.
- 6.5 The confidentiality of information received in the course of the employee's duties should be respected and must never be used for personal or political gain. Also, the employee should not knowingly pass information on to others who might use it in such a way.
- 6.6 Employees should follow any specific rules adopted by the Council in relation to commercially sensitive information, particularly with regard to competitive tendering.
- 6.7 The employee should not communicate confidential information or documents to others who do not have a legitimate right to know. Information must only be disclosed in accordance with the requirements of the Data Protection legislation, which covers computerised and manual information held on individuals. All employees need to bear in mind that an e-mail is as legally binding as a letter and informal messages sent internally can be used as evidence in court proceedings.
- 6.8 Information given in the course of the employee's duties should be accurate and fair and never designed to mislead.
- 6.9 Employees may not use any information received by the employee from a councillor, which is personal to that councillor, should not be divulged by the employee without the prior approval of that councillor, except where such disclosure is required by law.
- 6.10 Employees must not communicate to the public or the media, the proceedings of any Committee meeting nor the contents of any document relating to the Council, which is confidential or which is exempt from the requirement to make such information public.
- 6.11 Each Chief Officer must ensure employees are fully aware of which information the Council makes available and that which it does not. The Council's Publication Scheme provides details of information which the Council publishes. If there is any doubt, the employee should ask their manager or head of department.

## **7. POLITICALLY RESTRICTED OR NEUTRALITY**

- 7.1 Employees serve the Council as a whole and not individual members or groups.
- 7.2 Employees must serve all councillors equally and ensure that the individual rights of all councillors are respected. Employees are not required to advise or attend meetings of political groups. Officers' personal or political views must not interfere with their work.
- 7.3 From time to time, some employees may also be requested to advise a full meeting of a political group or its executive. The employee must do so in ways which do not compromise their political neutrality and inform the Chief Officer Governance & Customer in advance.

- 7.4 Where employees are politically restricted (by reason of the post the employee holds, the nature of the work the employee carries out, or the salary they are paid), they must comply with any statutory restrictions on their political activities. This is contained in the employee's Contract of Employment.
- 7.5 Whether the employee holds a politically restricted post or not, the employee must not allow their own personal or political opinions to interfere with work.
- 7.6 If there is any doubt whether or not a political activity is permitted, the Chief Officer Governance & Customer should be consulted. Contracts of Employment for employees employed in politically restricted posts will contain a restriction against certain political activities. Human Resources can advise employees if posts are politically restricted.
- 7.7 Politically restricted is particularly important during election periods. Employees should not be asked to engage and should avoid engaging in activities which could give rise to accusations that people paid from public funds are being used for party political or electioneering purposes. The Chief Officer Governance & Customer will issue separate guidance to staff on their conduct during such periods.

## **8. RELATIONSHIPS WITH MEMBERS, CONTRACTORS, THE PUBLIC AND OTHER EMPLOYEES**

### Councillors

- 8.1 Mutual respect between employees and councillors is essential for good local government. Some employees need to work closely with councillors. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors and should therefore be avoided.

### The Local Community and Service Users

- 8.2 Employees should always remember their responsibilities to the whole of the community they serve and ensure courteous, effective and impartial service delivery to all groups and individuals within that community in accordance with the policies of the Council. Employees should deal with the public, members and other employees sympathetically, efficiently and without bias.

### Contractors and Suppliers

- 8.3 Employees who have, or who have had, a relationship of a business or private nature with the Council's external providers (or potential providers) including voluntary or third sector organisations, must declare that relationship to their Chief Officer who will record it in a register kept for this purpose. This applies equally to all employees, whether or not they engage or supervise contractors, or have any other official relationship with contractors, on behalf of the Council.
- 8.4 Orders and contracts must be awarded on merit in accordance with the Council's Standing Orders and Financial Regulations and no special favours may be shown to businesses run

by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

- 8.5 The attention of employees is drawn to the Protocol on Member/Officer Relations which provides guidance to members and officers on their relations with one another and what each may expect of each other in terms of conduct. The operation of the Protocol is monitored by the Council's Standards Committee.

## **9. APPOINTMENT AND OTHER EMPLOYMENT MATTERS**

It is unlawful for appointments to be made on the basis of anything other than the ability of the candidate to undertake the duties of the post. If you are involved in making appointments, you should do everything possible to ensure that these are made on the basis of merit and in accordance with the Council's policies and procedures.

- 9.1 In order to avoid any possible accusation of bias, you must not become involved in any appointment if you are related to an applicant or have a close personal relationship with him/her.
- 9.2 Managers must disclose to their Chief Officer if they are to be a part of an appointment process and they are aware of any relationship known to exist between them and any person they know who is a candidate for an appointment with the Council.
- 9.3 If an employee applies for promotion or another post in the Council, the employee must not approach any councillor for a reference. Issues relating to employees' conditions of service, working arrangements or grading should be raised with the employee's manager or supervisor and not with councillors.
- 9.4 Similarly, employees should not be involved in decisions relating to discipline promotion or pay adjustments in respect of any other employee who is a relative or with whom you have a close personal relationship; nor should the employee attempt to influence such decisions.

## **10. OUTSIDE COMMITMENTS**

During working and non-working hours, employees should ensure they do not allow their private interests to come into conflict with contractual obligations or are detrimental to the interests or reputation of the Council.

- 10.1 Employees must not misuse their official position or information acquired in the course of their employment to further their private interests, or the interests of others.

In particular, they must comply with:-

- a) any rules relevant to the Council on the registration and declaration by employees of financial and non-financial interests (see paragraph 12.1 below).
- b) any rules of the Council on the declaration by employees of hospitality or gifts offered to or received by them, from any person or organisation doing or seeking to do business or otherwise benefiting or seeking to benefit from a relationship with the Council.

Employees must not accept benefits from a third party unless authorised to do so by their manager (see Section 16 below).

- 10.2 Employees, subject to Green Book conditions and paid from Spinal Point 29, are required to devote their whole-time service to the work of the Council and shall not engage in any other business or take up any other additional appointments without the prior express consent of their Chief Officer (in consultation with the Chief Officer Governance & Customer). Each Chief Officer will maintain a register of all such requests.
- 10.3 The Council will not unreasonably stop employees from undertaking additional employment, but this employment must not, in the Council's view, conflict with or be detrimental to its interests, or weaken public confidence in the conduct of its business.
- 10.4 All employees below Spinal Point 29 are expected to inform their Chief Officer of any private work or business activity which they undertake (be it of a professional or non-professional nature) which could be deemed detrimental to the Council's interest. (See Paragraph 11.1)
- 10.5 Even if an employee is not subject to the Green Book provisions, they should ensure that no outside activities are detrimental to the Council's interests.
- 10.6 If the employee writes a book or article for payment on subjects relating to the employee's work for the Council, the employee must seek the prior permission of the Council through the Chief Officer. The general presumption would be that any fee or royalty payable would be paid to the Council.
- 10.7 The employee must not undertake private or personal work of any description in working hours, whether it is in their normal place of work or at any other location where they are carrying out their duties.
- 10.8 Private use of Council facilities and equipment is not allowed.

## **11. PERSONAL INTERESTS**

Employees must declare, to the Chief Officer, any non-financial or financial interest that they consider could bring about conflict within the Council's interests.

- 11.1 If an employee is in doubt about a potential conflict of interest, they should immediately bring the matter to the attention of their manager or supervisor so that a decision can be made as to how best to proceed.
- 11.2 The employee must not make, or become involved with any official or professional decisions about matters in which the employee has a personal interest.
- 11.3 Section 117 of the Local Government Act 1972 requires the employee to make a formal declaration about contracts or personal contracts with the Council in which the employee has a financial interest. Such declarations should be made to the Chief Officer who will discuss the matter with the Chief Officer Governance & Customer. It is a criminal offence to fail to comply with this provision.
- 11.4 Employees must declare, to the Chief Officer Governance & Customer, their membership of any organisation not open to the public, requiring any commitment of allegiance, or which

has secrecy about rules, membership or conduct, for example, the freemasons. The following definition should be used:-

- a) is not open to members of the public who are not members of that lodge, chapter society or trust;
- b) includes in the grant of membership an obligation on the part of the member to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, gathering or meeting; and
- c) includes (whether initially or subsequently) a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

## **12. FINANCIAL REGULATIONS**

All employees must follow the Council's Financial Regulations at all times. This includes temporary and agency staff. This applies especially to those staff involved in financial activities and transactions on behalf of the Council, including budgetary control, payments of accounts, payments of salaries and wages, petty cash and orders for works, goods or services.

## **13. STEWARDSHIP**

13.1 All employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. The employee should strive to ensure value for money to the local community and to avoid any legal challenge to the Council. The employee must not utilise property, vehicles or other facilities of the Council for personal use, unless authorised to do so.

13.2 In order to ensure that there is no confusion with regard to the use of Council vehicles and equipment (similarly the use of vehicles and equipment contracted to the Council), the following guidelines apply:-

- (a) The vehicles and equipment should, in no circumstances, be used privately and, when not in official use, must be kept, at all times (overnight and at weekends) at Council depots or offices. NB: the use of vehicles or equipment by employees could be authorised where the needs of a service required it or it was part of the Conditions of Employment e.g. regular call out.
- (b) Council owned equipment may not be loaned or hired to employees other than in the following circumstance:-
  - where equipment is hired along with the use of Council accommodation (such as the Council Chamber or Committee Room);
  - where the same facility is deemed to be available to members of the public.



- 13.3 Wrexham Council recognises the importance of ICT security as an integral part of the day-to-day operations and ensures appropriate procedures and processes are in place to maintain a secure environment at all times. The ICT Security Policy and Guidelines have been developed to provide a level of awareness for all users and to ensure that they understand the importance of ICT security and their individual responsibilities.

Access and usage of Wrexham's ICT facilities is governed by the **Acceptable Use of ICT Facilities Policy and Guidelines**. This provides guidance for employees on the appropriate use of ICT facilities. **Note** - All Wrexham staff have signed up to this Policy as part of their standard working terms and conditions or through an electronic acceptance process.

## Press and Social Media

- 13.4 The Council's Social Media Guidelines for Employees should be followed at all times. They provide guidance as to employee's behaviours whilst engaging with social media.

Social media refers to online technology used to share opinions and information, promote discussion, build relationships and create and publish information online.

The increasing use of social media exposes organisations to greater reputational risks either through ignorance or malicious intent. Employees are reminded that the same rules that apply to actions in general, as found in Wrexham Council's Acceptable Use of ICT policy and the Code of Conduct, apply to conduct online.

The Council respects the legal rights of employees and, by and large, what employees do in their own time is not the Council's concern. However, actions in or outside of work that affect work performance, the work of others, or the Council's interests and reputation are covered under the Council's Social Media Guidelines for Employees.

The Council has daily contact with the media and the Press Office manages, co-ordinates and deals with all of the Council's media. Any employee who is contacted directly by a journalist must pass their details to the Press Office in order for them to deal with it. Guidelines for dealing with the media and how to respond to inaccurate and negative publicity can be found on the Council's intranet.

Only certain employees have permission to access approved social media sites in order to assist them with their work. However, the Council is aware that employees regularly use social media outside of work and, in order to ensure that they better understand their responsibilities, both inside and outside of work, the Social Media Guidelines for Employees contains guidance which should be followed at all times.

## 14. TENDERING PROCEDURES

- 14.1 The Council's Financial Regulations must be followed at all times.
- 14.2 Employees involved in the tendering process or who have any other official relationship with contractors, must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors. They must be clear, at all times, regarding a clear separation of client and contractor roles within the Council.

- 14.3 Employees who have both a client and a contractor responsibility must be aware of the need for accountability and openness that they may not both bid for a particular contract and be involved in the evaluation of bids received.
- 14.4 If the employee is responsible for engaging or supervising contractors and have previously had, or currently have a relationship in a private or domestic capacity with contractors, the employee must declare that relationship to their manager or supervisor.
- 14.5 Employees must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors
- 14.6 Employees who are privy to confidential information on tenders or costs for either internal or external contractors may not disclose that information to any unauthorised party or organisation.
- 14.7 Employees must ensure that no special favour is shown to current or 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.
- 14.8 Employees who are contemplating a management buy-out or similar, must, as soon as they have formed a definite intent, inform the Chief Officer Governance & Customer (Monitoring Officer) and withdraw from the contract awarding process.

## **15. CORRUPTION & BRIBERY**

- 15.1 The Council expects the highest standards of propriety and ethics in the delivery of its services and the management of its resources and assets, and will carry out its business fairly, honestly and openly at all times.
- 15.2 The Council has a zero tolerance approach to all types of fraud, corruption and bribery and seeks to carry out its business fairly, honestly and openly at all times. All instances of fraud, corruption or bribery will be pursued using all available sanctions. This includes employees who are proven to have carried out housing benefit fraud. Further information is contained in the Counter Fraud Strategy.
- 15.3 The Council is committed to maintaining anti-bribery compliance as 'business as usual'. Accordingly, the Council **does not and will not:**
- pay bribes or offer improper inducements to anyone for any purpose, or accept bribes or improper inducements,
  - engage indirectly in or otherwise encourage bribery.
- 15.4 Employees must be aware that it is a serious criminal offence under the Bribery Act 2010 for them to receive or give any gift, loan or reward or advantage in their official capacity "for doing, or not doing, anything", or "showing favour, or disfavour to any person". If an allegation is made against you, it will be for you to demonstrate that any such rewards have not been corruptly obtained. Further information is available in the Counter Fraud Strategy or from the Head of Service, Audit and Technical.
- 15.5 Employees must ensure that they or a third party do not show any form of preferential treatment, or in any suspicious circumstances in connection with a contract, you must report the matter to your Chief Officer.

- 15.6 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner and ensure that they are held securely at all times. Employees should strive to ensure value for money to the local community and to avoid legal challenge to the Council.
- 15.7 If any employee is concerned about whether particular funds or assets are being properly applied, they should raise the matter with the head of department in the first instance (see Section 18 - Whistleblowing).

## **16. GIFTS & HOSPITALITY**

### Introduction

A potential source of conflict between public and private interests is the offer of gifts, hospitality or benefits in kind to employees in connection with their official duties. It is important to avoid any suggestion of improper influence in this area and so the following requirements should be followed at all times

### 16.1 Gifts Generally

- 16.1.1 Casual gifts offered to employees by contractors, organisations, firms or individuals, may not be intended as an inducement or connected in any way with the performance of your official duties so as to involve the Bribery Act 2010.
- 16.1.2 Employees should decline any personal gifts offered to them or their partner, or to a member of their family, by any person or organisation having dealings with the Council. The exception to this rule is any insignificant gifts such as diaries, calendars, pens and similar tokens which can be accepted.
- 16.1.3 When a gift needs to be refused, this should be done with tact and courtesy, because the offer of gifts is common custom and practice in the commercial world, particularly at Christmas time. If the gift is simply delivered to your place of work, there may be a problem returning it, in which case, it should be reported immediately to your Chief Officer for recording in the Gifts and Hospitality Register. The gift should then be donated to the Mayor's Charity.

### 16.2 Gifts to Employees with a Caring Role

- 16.2.1 There are sometimes special problems encountered by employees who have a "caring" role, or provide a direct personal service to vulnerable people.
- 16.2.2 It is not unusual for residents of residential care homes or for people receiving support at home from Council employees, or their relatives, to wish to express their thanks and gratitude to care employees by offering gifts, money or even, exceptionally, by making an employee a beneficiary in their will.
- 16.2.3 It is most important in such situations that employees and the Council are protected from any suggestion of improper motives or conduct. For the avoidance of doubt, members of staff and their families are not allowed to accept gifts or legacies from clients.
- 16.2.4 If the employee is made aware that a client is considering making a gift to them or including the employee in their will, or has actually done so, then the employee

should immediately report the matter to their manager who will take it up with the client.

16.2.5 Similarly, the employee should never become involved with making wills for clients nor act as an executor in a client's will.

16.2.6 For the purposes of this Section of the Code, "client" means any current or former client.

### 16.3 Exceptions

16.3.1 Gifts of a token value given at Christmas, such as calendars, diaries, blotters, pens or other simple items of office equipment for use in Council offices, but only if it bears the company's name or insignia.

16.3.2 Gifts of a promotional nature on the conclusion of a courtesy visit to a factory or company offices, of a sort normally given by the company to visitors.

### 16.4 Hospitality

16.4.1 Offers of hospitality are a normal part of the courtesies of business life but, in the public service, it is important for employees to avoid creating an appearance of improper influence, thus undermining public confidence. Insignificant hospitality, defined as basic refreshment (including a meal) and limited to food and drink only, can be accepted.

16.4.2 Employees may only accept offers of hospitality if there is a genuine need to impart information or to represent the Council in the community. Offers to attend 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 and they should be properly authorised and recorded (in such instances the employee should either offer to pay for the ticket or donate the face value of the ticket to a charity of their choice).

16.4.3 Where significant gifts or hospitality or attendance at social or sporting functions are offered, the fact should be recorded in a "Register of Gifts and Hospitality" maintained by Chief Officer. The entries in the register are made regardless of whether or not the offer is accepted. Entries are to be certified by the Chief Officer. 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. These should still be recorded in the Gifts and Hospitality Register.

16.4.4 If hospitality is offered to an employee, special caution is needed, particularly when the host is seeking to do business with the Council or to obtain a decision from it. The employee must exercise the utmost care in dealing with contractors, developers, etc, who may stand to benefit from the goodwill of the Council. Employees may not accept offers of hospitality when the Council is about to take a decision affecting the party offering that hospitality.

16.4.5 The employee should also be careful about attending exhibitions, seminars or visiting manufacturers, etc. There is an increasing trend towards linking such visits to, for example, a major sporting event, show or concert with a view to legitimising

offers of hospitality. Acceptance by employees of hospitality, whilst attending relevant conferences and courses, is acceptable where it is clear that the hospitality is corporate rather than personal, where the Council gives consent in advance to attend and where the Council is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment are required, employees should ensure that the Council meets the costs of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

16.4.6 In general terms, it is more likely to be acceptable for the employee to join in hospitality offered to a group, than to accept something unique to the employee. When a particular person or body has a matter currently in issue with the Council, for example, an arbitration arising from a contract, then clearly, common sense dictates that offers of hospitality should be refused, even if at normal times they would be acceptable.

16.4.7 If it is suspected that an improper motive exists concerning an offer, the employee concerned should report this immediately to the head of department who will, in conjunction with the monitoring officer, decide on appropriate action e.g. possible withdrawal of business or referral to the police.

## **17. SPONSORSHIP – GIVING AND RECEIVING**

17.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a council service, 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 as a Financial Regulation 10 would apply.

17.2 Where the Council wishes to sponsor an event or service, the employee nor any partner, spouse or relative may benefit from such sponsorship without there being full disclosure to the Chief Officer or monitoring officer of any such interest. Similarly, where the Council, through sponsorship, grant aid, financial or other measure, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest.

## **18. WHISTLEBLOWING**

18.1 In the event that the employee becomes aware of activities which they believe to be illegal, improper, unethical or otherwise inconsistent with this Code, the employee should report the matter, in accordance with Section 7 of the Council's Whistleblowing Policy.

18.2 This provides details of both internal and external contacts for raising concerns and encourages employees, as a first step, to raise concerns with their manager, although if the employee is concerned that the information may not be properly dealt with through this channel may contact the Chief Executive, the Monitoring Officer (who is the Chief Officer Governance & Customer), the Chief Officer Finance & ICT or the Head of Service, Audit and Technical.

18.3 The Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998) provides legal protection for workers (including contractors and agency staff) who raise genuine concerns and make disclosures about malpractice which they reasonably believe to be in the public interest. The Act makes it unlawful for the Council to dismiss anyone or allow them to be penalised or victimised on the basis that they have made an inappropriate

lawful disclosure in accordance with the Employment Rights Act 1996 (hereafter referred to as "the Act").

## **19. INVESTIGATIONS BY THE MONITORING OFFICER (HEAD OF CORPORATE & CUSTOMER SERVICES)**

Where a monitoring officer is undertaking an investigation in accordance with regulations made under Section 73 (1) of the Local Government Act 2000, a qualifying employee must comply with any requirement made by the monitoring officer in connection with such an investigation.

## **20. DISCIPLINARY POLICY AND PROCEDURE, GRIEVANCE PROCEDURES AND CONDITIONS OF SERVICE**

- 20.1 This Code of Conduct does not supersede the Council's Disciplinary Policy and Procedures and Grievance Procedures or the Local Government Terms and Conditions of Service, copies of which can be obtained from the HR Service Centre. However, the statutory code is now deemed to be incorporated, by law, in the terms of appointment and conditions of employment of every employee.
- 20.2 Breaches of the Code may render employees liable to disciplinary proceedings which, /depending on the circumstances, could result in termination of employment.