

Code of Conduct For Employees



ORGANISATIONAL DEVELOPMENT DIVISION

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This document is also available in Welsh / Mae'r ddogfen hon hefyd ar gael yn Gymraeg

Version Control

This document is intended for:

- Council staff only School-based staff only Council & School-based staff

Version	Key Changes	Approved By
Mar 2020	Reformatted only	Council
Oct 2021	Value of gifts that can be accepted increased from £10 to £20	Council on 30/9/21
Dec 2022	Procedure regarding Declaration of Interest(s) strengthened.	CLT on 8/12/22

This document may be reviewed and amended at any time and without consultation in response to legal requirements or in response to an organisational requirement and where the changes do not reflect a fundamental change or affect the spirit or intent of the document.

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1. Introduction & Scope

- 1.1. The Council exists for the benefit of, and is accountable to, the people of Blaenau Gwent and as such they are entitled to expect conduct of the highest standard from their Council's employees.
- 1.2. This Code of Conduct for Employees sets out standards of conduct expected of you and applies to all employees, except for School Teachers who have their own arrangements.
- 1.3. This Code has been written for the effective operation of Council business and the wellbeing of its employees. All employees are expected to act in accordance with the Code, failure to do so may result in action in line with the Council's [Disciplinary Policy and Procedure](#).
- 1.4. The various sections of this Code summarise the key policies and procedures in respect of behaviour and the way you are required to work.
- 1.5. This Code is not exhaustive and does not replace the general requirements of the law, common sense and good conduct. Please also see [section 9 - Professional Qualifications, Registrations and Conduct](#).

2. Manager's Responsibilities

- 2.1 Managers are responsible for the application of this policy in their service area.
- 2.2 Managers must ensure this Code is adhered to and:
 - Set a positive example with their own behaviour.
 - Ensure standards in the Code are established and communicated.
 - Ensure employees effectively record and update the Declaration of Interest(s) Form (see appendix 1) and Register of Gifts and Hospitality (see appendix 2). This information should be held in the Directorate/Service and **must** be updated on an annual basis as a minimum or where there has been a change in circumstances.
 - Provide clarification, where required, to improve employee understanding.
 - Take appropriate action at the earliest opportunity to manage non-compliance with the standards set out in this Code.

3. Employee's Responsibilities

- 3.1 You must consider this Code carefully and comply with it fully as it forms part of the terms and conditions of your employment. If you do not understand something in the Code you should ask your manager to explain it to you.

3.2 You are expected to:

- Maintain conduct of the highest standard so public confidence in your integrity is sustained.
- Ensure your conduct reflects the Council's values and [competencies](#).
- Complete the Declaration of Interest(s) Form (see appendix 1) on an annual basis as a minimum or where there has been a change in circumstances, even if it is to declare you do not have any interests.
- Declare any actual/potential conflict of interest as soon as is reasonably practicable.
- Incorporate and promote equality in all that you do.
- Perform your work to the best of your ability and in accordance with the Council's policies and procedures. Where performance falls short of the required standard you should work with your manager, complying with any improvement plans, to improve your performance to the required standard.
- Not use any information obtained in the course of your employment to cause damage to or bring disrepute to the Council, or for personal gain or benefit. Nor should you pass information on to others who may use it in such a way. Also, you must not access information that is not specifically required to enable you to undertake your role with the Council.
- Abide by the [General Data Protection regulation and the Good Practice Guidance that the Council provides in the area of Information Security](#).
- Familiarise yourself periodically with the latest version of the Code and comply with it at all times.

3.3 If you are aware that someone else is breaching the Code, the Council has a [Whistleblowing Policy](#) to enable employees to raise concerns in an appropriate manner and to ensure that they do not suffer any detriment as a result of doing so. The policy is available on the Council's intranet and from Organisational Development (OD).

4. Public Funds

- 4.1 The Council has responsibility for the administration of public funds and the importance of probity, financial control and honest administration cannot be overstated.
- 4.2 Where you have direct responsibility for financial transactions e.g. the ordering of goods or services, you must comply with the Council's Financial and Procurement Regulations.
- 4.3 If you are found to have claimed entitlement to a government benefit or service (i.e. Council or Housing Benefit, Direct Payment, Blue Badge, Council Property, etc. from the Council or another local authority), either directly or indirectly, and failed to disclose accurately/fully your financial or other circumstances that may affect your entitlement to the benefit or service, this would be regarded as gross misconduct, and you may be dismissed. Such cases may also be referred to the Police.

5. Customers

- 5.1 You should ensure an inclusive, courteous, efficient and impartial service to all within the community. Antagonistic or aggressive behaviour is not acceptable. If you work with customers who behave aggressively you must familiarise yourself with the [Violence and Aggression at Work Policy](#).

6. Equalities

- 6.1 Your commitment to equality in all aspects of your work is fundamental to effective service delivery and working relationships.
- 6.2 All members of the local community, customers and colleagues have a right to be treated with fairness and dignity.
- 6.3 The Public Sector Equality duty applies to all decisions made by the Council. The duty includes the need to promote equality for persons with “protected characteristics” i.e. age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, Welsh language, and have due regard to the need to:
- i) eliminate discrimination, harassment, and victimisation;
 - ii) advance equality of opportunity; and
 - iii) foster good relations between persons who share a relevant protected characteristic and those who do not share it.
- 6.4 Employees should familiarise themselves with the Council’s [Dignity at Work Policy](#). The Council will not tolerate discriminatory behaviour, including harassment, which will be dealt with using the [Disciplinary Policy and Procedure](#) and may lead to criminal proceedings.

7. Health and Safety

- 7.1 You have a duty of care and must not act wilfully or intentionally in a manner liable to place the public, your colleagues or yourself at risk.
- 7.2 You must display your identity card at all times on Council premises. An exception can be made if displaying your identity card (or other Blaenau Gwent logos) could put you at risk, and a risk assessment is in place to this effect. In such circumstances the ID must be retained on your person and must be offered for inspection if required by an authorised person.

8. Standards of Dress and Appearance

- 8.1 You must ensure standards of dress and personal ornamentation are appropriate in relation to your duties. Inappropriate dress can create offence or be interpreted as disrespectful.

- 8.2 The Council values the diversity of its workforce and will take into account ethnic and religious dress requirements by ensuring you are free to observe them.
- 8.3 In all cases you are expected to wear any uniform issued for health and safety reasons.

9. Professional Qualifications, Registrations and Conduct

- 9.1 If your employment with the Council is in a post which requires you to be registered with a statutory and/or professional organisation, to hold membership of a professional body or hold any other qualification, it is your duty to ensure you are able to comply with the relevant obligation(s). You will be requested to provide evidence of compliance. You should also comply with any duty you may have to inform your professional body of a matter which may impact on your registration or membership. You should also inform your manager of the matter.
- 9.2 You must ensure that the relevant Code of Practice is followed during the course of your duties, which includes formal reporting to the professional body on any matter where there is a duty to do so.
- 9.3 If you belong to a profession that has a specific Code of Practice it is your responsibility to comply with both the Council's Code and the Code relating to your profession. If there is any conflict between the Council's Code and your professional Code, please seek the advice of your manager or Organisational Development . However, the approach should be that you must comply with the most demanding/highest level requirement(s), whichever code contains it.

10. Declaration of Financial and Other Interests

- 10.1 You must declare in writing to your manager, using the declaration form ([see appendix 1](#)) any financial or other personal interest - whether direct or indirect - or association with any Council activity, which could cause an actual or potential conflict of interest.
- 10.2 You are responsible for ensuring you keep your manager informed of any change of circumstance that gives rise to a need to submit or update your declarations. Declarations should be made in writing/by email using the appropriate form on an annual basis as a minimum or where there has been a change in circumstances.
- 10.3 It is your responsibility to take all reasonable steps to ensure you do not place yourself or the Council in a position where there could be a conflict of interest. This responsibility does not end when you have submitted a declaration form. For example, if you are present at a meeting on another matter and an issue comes up that you have a potential or actual interest in, you must declare this to the meeting and excuse yourself from the meeting if practicable or at the very least have no part in any discussion or decision making on the relevant issue.

11. Conflicts of Interest - The Key Test

- 11.1 You should ask yourself the question “Would a member of the public think that my family, close friends or I would benefit from the connection between my personal interest and my employment?”
- 11.2 If the answer is yes then you must declare the interest by informing your Manager as soon as is reasonably practicable by completing the Declaration of Interest(s) Form (see appendix 1). All Directorates are responsible for maintaining a Register of Declarations of Interest for their employees. However, individuals are free to take part in activities organised and authorised by the Trade Unions without declaring an interest.
- 11.3 If you are involved with granting permissions or benefits, for example, planning permission, you must take no part in considering any application made by yourself, a relative, friend, neighbour or anyone you have a close personal association with.

12. Definition of Relative

- 12.1 A relative means a spouse (husband or wife), partner, parent, parent-in-law, son, daughter, step-son, stepdaughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of these people.

13. Conduct Outside of Work

- 13.1 Your off-duty hours are your personal concern but you should not put yourself in a position where there is a conflict of interest between your private life and public duties. If, for example you are a member of a society, club or association which may cause a conflict of interest you must declare this using the declaration form ([see appendix 1](#)).
- 13.2 Any questions or statements you wish to submit as a citizen to public Council meetings must be drafted and sent in your own time and using your own resources (i.e. not with work email). You must be clear that you are doing so as a citizen and not as a Council employee. You should not lobby a Councillor inappropriately on personal employment matters. If you are unsure about the process you are advised to speak to your manager. This does not restrict your right to raise concerns regarding possible malpractice under the Council's [Whistleblowing Policy](#).
- 13.3 The Council reserves the right to bring action against you where your conduct outside work conflicts with your public duties, i.e. where your conduct outside of work could undermine the Council's reputation or public confidence.
- 13.4 You must disclose information which is relevant to your capability, capacity and suitability to carry out the duties and responsibilities for which you are employed. You must immediately inform your manager in writing (where this Code requires notification in writing, email is acceptable) if, during your employment with the

Council, you are subject to any of the following, which it would be reasonable to understand may impact upon your role, professional standing or the reputation of the Council:

- Advised that you 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 you.
- In receipt of a summons to appear before a Court of Law for an alleged offence.
- Found guilty and convicted of any offence.
- Given a police caution.

- 13.5 Notwithstanding the above, Employees whose role requires a DBS check must ensure they comply with the all the requirements of the DBS process.
- 13.6 If you are required to drive as part of your duties you must also declare any penalties received in connection with motoring offences that may impact your ability to undertake your role. Fixed penalties for offences such as speeding do not need to be declared unless they include a driving ban.
- 13.7 In all cases, a failure to disclose relevant information or the deliberate withholding of such information can amount to a breach of trust and confidence and may lead to disciplinary action up to and including dismissal.
- 13.8 Serious misconduct or criminal offences committed during or outside working hours, which bring you or the Council into disrepute, will be subject to disciplinary action under the Council's [Disciplinary Policy and Procedure](#), and may result in dismissal.

14. Secondary Employment

- 14.1 You may undertake secondary employment such as: work on a voluntary, fee-paying or recognition-in-kind basis; or engage in any other business; as well as secondary employment within the Council itself.
- 14.2 Appointments as Governors, Councillors of other local authorities, membership of the Territorial Army, Justice of the Peace, etc., do not constitute secondary employment.
- 14.3 Your working time should not exceed an average of 48 hours per week, taking into account secondary employment.
- 14.4 If you are paid up to and including spinal column point 26 (or equivalent basic pay pro rata) you must notify your manager of any secondary employment undertaken.
- 14.5 If you are paid above spinal column 26 (or equivalent basic pay pro rata) you must obtain the consent of your Chief Officer prior to engaging in any other business or taking up any secondary employment. You must subsequently keep your Chief Officer advised of any changes to your secondary employment.

- 14.6 You may also be required to disclose your total working hours, to enable the Council to monitor your hours worked to comply with the Working Time Regulations.
- 14.7 Any secondary employment must not be carried out during your contracted Council working hours, nor whilst on standby for official callout purposes, unless such employment can be undertaken from your home. You are also not permitted to use Council property, equipment or associated documents or communications.
- 14.8 Any secondary employment outside the Council must not conflict with the Council's interests, or bring it into disrepute. You may not set up a business, or accept a job with a business, which is in direct competition with the Council.
- 14.9 Your declaration of secondary employment does not remove the right of the Council to take action if it is deemed to be detrimental to the interests or reputation of the Council, or where it affects your work performance.
- 14.10 You may not become a trustee or board member of any organisation which receives any form of funding from the Council unless you have the express consent of your Chief Officer, who will consider this in consultation with the Monitoring Officer.

15. Probity of Records and Other Documents

- 15.1 If you falsify records or other documents to secure pay or another financial benefit for yourself or others, this is regarded as a criminal offence as well as a serious disciplinary matter.
- 15.2 Such falsification is dealt with in accordance with the Council's [Anti-Fraud, Anti-Corruption, & Anti-Bribery Policy](#).
- 15.3 Where deliberate falsification is intended to gain a non-financial advantage such as flexi-time credit, the Council will regard this as a serious disciplinary matter. Any deliberate falsification of records or other documents may lead to dismissal.

16. Financial Inducements, Gifts and Hospitality

- 16.1 It is an offence to accept any fee or reward whatsoever other than your proper pay. You may receive offers of inducements and it is important you are able to recognise what is, and what is not acceptable; it is advisable to discuss these with your manager.
- 16.2 On no account should an employee knowingly accept secondary employment or a financial payment from any person, body or organisation who have a professional relationship with the Council or are seeking to establish such a relationship e.g. contractors, developers, consultants.
- 16.3 Gifts may only be accepted when they are low value i.e. up to £20. Regardless of whether the gift is accepted or not it must be registered by writing/email to your manager, who will record it on the Directorate/Service Register of Gifts and Hospitality

([see appendix 2](#)). You should never accept significant gifts (i.e. worth more than £20) or hospitality from service users, actual or potential contractors or outside suppliers.

- 16.4 Normally, visits by employees to exhibitions, demonstrations, conferences, business meals, and social functions, in connection with their official duties shall be at the Council's expense.
- 16.5 Where hospitality, in the form of meals and drinks, is offered by a third party, this is normally only acceptable where it forms part of, or immediately follows on from, normal business meetings/discussions held during the normal working day.
- 16.6 Where offers of hospitality are made, e.g. invitations to dinners, these should only be accepted if there is a clear and demonstrable benefit to the Council, and the hospitality would not expose the Council to criticism that the provider of the hospitality was achieving undue influence. Attendance must have the Chief Officer's approval in advance, and will be recorded in the Directorate/Service Register of Gifts and Hospitality.
- 16.7 Offers of hospitality in the form of purely social events and sporting occasions should on no account be accepted when these are from organisations with which the Council has commercial links. However, invitations to social events from non-commercial organisations with which the Council has a partnership arrangement will be acceptable, but must have the Chief Officer's advance approval, and must be recorded in the Directorate/Service Register of Gifts and Hospitality.
- 16.8 Regular social contact e.g. drinks in a public house, with representatives of organisations, which supply, or hope to supply, goods or services to the Council must be avoided. Where such instances do occasionally take place, i.e. after late working, officers should ensure that they "pay their way" and that the other party does not meet the costs of such contact in full. For their own protection, employees should record such events in the Directorate/Service Register.
- 16.9 Directorate/Service Registers of Declarations of Interest and Gifts and Hospitality will be liable to Audit inspection.
- 16.10 Apart from participating in concessionary schemes arranged by trade unions or other such groups for their members, you should not engage the services of contractors commissioned by the Council when acquiring materials, labour or plant at cost, trade or discount prices. Whilst this may enable you to make savings compared with other suppliers, you face the risk of being in a compromising situation, and bringing the Council into disrepute – this is not acceptable and cannot be over-emphasised.
- 16.11 The acceptance of, or giving of a gift to obtain financial or other advantage, is a criminal offence, as is a threat or retaliation against someone refusing to commit a bribery offence (Bribery Act 2010). The prevention, detection and reporting of bribery is the responsibility of all those working for the Council or under its control. All workers are required to avoid any activity that might lead to, or suggest, a breach of the Bribery Act 2010.

17. Promotional Offers and Prizes

- 17.1 If you are responsible for the purchase of goods and supplies, any promotional offers or prizes given by suppliers are the Council's property. These promotional offers may take the form of a free gift, holiday offer or vouchers. Promotional offers should only be used for the benefit of the Council, and your Chief Officer will decide how offers are used. Promotional offers should be discussed with your manager and recorded on the Register of Gifts and Hospitality, whether accepted or declined.

18. Public Concern and Whistleblowing

- 18.1 The Council does not tolerate any form of malpractice. You have an important role to play in reporting any concerns, and are expected to co-operate with investigations. Although it is often difficult for employees to report legitimate concerns through fear of victimisation or reprisal, please be assured that in raising concerns you will be supported. Please refer to the [Whistleblowing Policy](#) for more information.

19. Safeguarding

- 19.1 There is a statutory requirement for the Council and its employees to protect children and vulnerable adults. If you have any safeguarding related concerns, you are responsible for speaking promptly to your manager or another manager about your concerns. You should seek guidance from your manager or safeguarding lead as necessary.

20. Employees in Positions of Trust

- 20.1 If you have a caring role or provide a direct personal service you may experience situations where you could benefit financially. For example, people in residential care homes may express their thanks to you by offering significant gifts, money or even making you a beneficiary of their will. You must refuse such 'gifts' politely and explain why you cannot accept them before reporting this matter to your manager.
- 20.2 If you, your partner or family have been made a beneficiary in the will of a service user, you should tell your manager immediately.
- 20.3 You, your partner and family must not have any financial dealings with any service user to whom the Council provides services, and must not borrow money or property, nor act as executor of a service user's will, except where this is a specific requirement of your post and only within the specific boundaries of your duties.
- 20.4 You must not give financial advice to service users except where this is a requirement of your post and within the specific boundaries of your duties.
- 20.5 Where a customer is dependent upon you for a service or has special needs, you must not compromise this relationship; avoid unprofessional emotional or physical

interaction or sexual interaction with a service user. If you suspect such behaviour on the part of a colleague you must tell your manager immediately.

- 20.6 If you work with children or vulnerable adults you must inform your manager immediately if you are subject to a criminal conviction, caution, ban, police enquiry or pending prosecution – this is essential in helping to safeguard children and vulnerable adults.

21. Contracts & Contractors

- 21.1 When dealing with contractors, you should be clear on the separation of the 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.
- 21.2 The Code of Conduct does not preclude anyone from having the opportunity to tender for business. However the process must be, and be seen to be, fair, open and transparent.
- 21.3 Under section 117 of the Local Government Act 1972 you must disclose any interest in an existing or proposed contract in writing as soon as is reasonably practicable.
- 21.4 If you engage or supervise contractors, or have an official relationship with existing or potential contractors, and have had or have a relationship in a private or domestic capacity, you must declare that relationship to your Chief Officer (this means relationship with a director or employee of the contractor). You must ensure no special favour is shown to current or former partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior capacity.
- 21.5 If you carry out competitive tendering services - directly or indirectly - you must declare to the Chief Officer your membership of, or affiliation to, any organisation, which may have an interest in tendering for the service.
- 21.6 Where a contract awarding process is under way you must withdraw from, or otherwise play no part in that process if you have an interest or potential interest and must comply with any written guidance issued by your Chief Officer, the Monitoring Officer or any other appropriately qualified Senior Officer of the Council.
- 21.7 You may not set up a business, or accept a job with a business, which is in direct competition with the Council. If you are contemplating a management buyout, or any arrangement to provide a service similar or identical to that provided by the Council you must, as soon as you have formed a definite intent, notify your Chief Officer.
- 21.8 If you are planning setting up competing businesses to the Council you must not use confidential information obtained during the course of your duties.
- 21.9 No materials, information (including contacts, property or other resources) are to be accessed or used by you in the course of planning your competing business during or after your employment with the Council. Where such access or use takes place the Council will vigorously pursue its rights.

22. Sponsorship

- 22.1 Where the Council sponsors an event or service, you, your partner, spouse or relative must not benefit from the sponsorship. You must seek guidance from your Chief Officer if you are involved with an event or service which the Council proposes to sponsor.
- 22.2 Where the Council gives support in the community, through sponsorship, grant aid, financial or other means, you should ensure that impartial advice is given and no conflict of interest exists.
- 22.3 Where an outside organisation wishes to sponsor a local government activity by invitation, tender, negotiation or voluntarily, the rules concerning acceptance of gifts and hospitality apply.

23. Political Neutrality

- 23.1 You must not allow your personal or political opinions to interfere with your work.
- 23.2 You serve the Council as a whole and must serve all elected Members - not just those of the controlling group - and must ensure the individual rights of all Councillors are respected.
- 23.3 Whilst engaged in Council business you must not wear or display any objects indicating support for or opposition to any political party or view. This applies to private vehicles used whilst undertaking Council business.
- 23.4 If your post is not politically restricted (see below) you may campaign on behalf of a political party. However, when engaged on Council business you must remain politically neutral and not allow your personal or political views to interfere with your duties.
- 23.5 If your post is politically restricted you will be advised upon appointment of restrictions and must comply with these.
- 23.6 Advice to political groups must be given by, or with the consent of, the relevant Chief Officer, who will ensure advice is given in ways which do not compromise political neutrality. Any advice given should be impartial, objective and helpful.

24. Councillors

- 24.1 Mutual respect between employees and Councillors is essential to good local government. Close personal familiarity between employees and Councillors can damage the relationship and prove embarrassing to other employees and Councillors and should be avoided.

- 24.2 You must declare any personal relationship with a Councillor. Where the relationship could present a conflict of interest, your manager will need to consider how this will be effectively managed.
- 24.3 The Council has a Protocol on Employee/Member Relations, which can be found in Section 21 of the [Council's Constitution](#). You must comply with the protocol as well as this Code of Conduct.
- 24.4 **Complaints against Members by employees**
The Council has a Code of Conduct for Members, which can be found in the [Council's Constitution](#). There is a local protocol for dealing with complaints against Members by employees for breaches of this Code.
- 24.5 This is in addition to and does not preclude the option of redress via The Ombudsman, which has always been available to employees.
- 24.6 If you have concerns about a possible breach of the Code of Conduct for Members and/or wish to make a complaint please contact the Chief Executive, who will be able to confidentially discuss your concerns and advise you of the options available.

25. The Media

- 25.1 Approaches from all national press, radio or TV stations or specialist press should be directed to the Corporate Communications Team, who will discuss the nature of the story and then contact the appropriate Officer or Member asking them to respond. You are not permitted to communicate with the media on matters relating to the activities of the Council without authorisation from the Corporate Communications Team. If you are contacted by journalists you should refer them to the Team.
- 25.2 This is not intended to prevent or deter lawful whistleblowing and does not affect your right to speak on trade union issues, whether as an individual or as a TU representative.
- 25.3 If you wish to write material for publication which does not refer to the Council, but relates to your profession (e.g. an article in a professional journal), advise your manager before publication. The article should also contain a disclaimer, which states that the views are those of the individual and not of the Council.

26. Other Employees

- 26.1 The provisions of this section apply equally to relationships with colleagues not directly employed by the Council, e.g. co-workers from organisations with which the Council is in partnership.
- 26.2 You must treat colleagues with courtesy and respect, and must not abuse them verbally or physically. You must not harass or bully or be insubordinate to colleagues and must comply with the standards set out in this Code in relation to Equalities.

- 26.3 Employees are expected to treat each other with respect and in a manner which is professional, courteous, non-aggressive and helpful.
- 26.4 The Council recognises that employees who work together may form personal friendships and in some cases close personal relationships. While it does not wish to interfere with these personal relationships, it is necessary to ensure that all employees behave in an appropriate and professional manner at work.
- 26.5 Any employee who is involved in a close personal relationship with a colleague, contractor, client, customer or supplier must not allow that relationship to influence their conduct while at work. There are situations when a personal relationship between employees becomes a management concern and they may unintentionally impair operational efficiency or affect the integrity of service delivery. You must declare any personal relationship with another employee, where the relationship could affect, or could be perceived to affect your or any colleagues' performance.
- 26.6 Intimate behaviour during work time, for example kissing, touching or holding hands, is expressly prohibited. This applies during all working time, whether at the normal workplace, on clients' premises or elsewhere. Any breach of this rule will be regarded as a serious disciplinary offence, which could lead to disciplinary action up to and including dismissal.

26.7 **Line Management of Relatives**

Line management of an employee by a relative is to be avoided wherever possible, to avoid conflicts of interest or allegations of nepotism or favouritism. In a situation where a line manager may be required to manage a relative, efforts will be made to relocate one of the parties.

- 26.8 Line management of relatives in existence prior to the adoption of this policy will not be affected, unless issues arise that lead/could lead to a conflict of interest or adversely affect the running of the service. If such a situation arises then the above procedures will apply.
- 26.9 In any situation where employees in a personal relationship work in close proximity, the Council reserves the right (without breach of contract) to require one or both employees to change their roles or duties. This is intended to avoid the employees in a relationship finding themselves in a potentially difficult situation and to avoid perceptions of undue influence or unfairness (whether real or imagined).

27. Appointments and Other Employment Decisions

- 27.1 Appointments must be made on merit. The relevant procedures are detailed in the Council's [Recruitment Charter and Code of Practice](#).
- 27.2 Relatives and close personal friends can apply for jobs and will be considered on the basis of their suitability for the role. They should declare their relationship to you on the appropriate section of the application form.

- 27.3 In order to avoid any possible accusation of bias, you should not be involved in any stage of an appointment if you are related to an applicant, or have a close personal relationship with them outside work.
- 27.4 You should not be involved in decisions relating to discipline or other sanction, or in decisions relating to pay, if you are related to, or have a close personal relationship with, the employee who is subject to that decision.

28. Use of Council Time, Property, Facilities or Equipment

- 28.1 You must spend all of your contracted hours working for the Council.
- 28.2 The Council's property and facilities are provided for official Council business. You are responsible for taking reasonable steps to ensure the safety and security of any equipment provided to you. All Council-owned equipment and devices must be returned on leaving Council employment and any Council-owned or supplied data must be deleted. Access to systems used for Council purposes must be terminated permanently.
- 28.3 You may not make personal use of the Council's property or facilities (stationery, photocopiers, etc.) unless authorised to do so by your manager. ICT resources may only be used in line with the Council's [relevant policies and guidance](#).
- 28.4 You may only use the Council telephones to make or receive private calls in line with the [Council's Policy on the Private Use of Authority-Owned Telephones](#).
- 28.5 As a member of the public, if you wish to access property, facilities, services or equipment, which is normally provided by the Council on a commercial basis, you must not gain advantage due to your employment with the Council. Where there may be a perception of potential conflict, you must advise your manager you propose to use Council property, facilities, equipment or services - your manager will guide you and take appropriate action.

29. Intellectual Property

- 29.1 'Intellectual Property' is a generic legal term, which refers to the rights and obligations in relation to: inventions, patents, creative writings and drawings (including policy, training and technical documents and materials). If you create these or similar during the course of your employment, the copyright belongs to the Council and, if appropriate, you would be required to cooperate in the registration formalities.
- 29.2 If you want to publish any material which you have written in connection with your duties or in which you describe yourself as holding a position within the Council you must first gain the consent of your Chief Officer.

30. Use of Council Communication Systems

- 30.1 The Council has the right to access and monitor communication systems provided to you, and will monitor usage of its communication systems e.g. telephone, email and Internet access, to ensure their proper use and will run reports detailing usage levels of staff.
- 30.2 Communication systems may be accessed when the Council suspects an employee has been misusing Council facilities, or, for the investigation of suspected fraud or other irregularity. Very exceptionally and where service delivery reasons exist, employees' senior officer, in conjunction with OD and the SRS, may approve access to emails when an employee is absent. Access to facilities may be temporarily suspended whilst an investigation is on-going and may be permanently withdrawn where misuse is detected. Cases of misuse may result in disciplinary action being taken - this may include dismissal.

31. Email and the Internet

- 31.1 The primary use of the Council's Email and the Internet systems is for the business purposes of the Council. However, reasonable personal use will be permitted when clocked out/outside of working time, although the policies relating to acceptable use will still apply. All Email and Internet access may be recorded and monitored.
- 31.2 The use of Email and the Internet must not interfere or conflict in any way with the performance of your duties as an employee of the Council.
- 31.3 The following is a summary of some of the key points of the Council's [Email and Internet Acceptable Use Policies](#).
- 31.4 However, it is your responsibility to ensure you are fully aware and compliant with all the relevant policies and guidance, as available on the [Information Security page on the Intranet](#).
- 31.5 You must inform your manager immediately if you receive inappropriate communication or material.
- 31.6 **General Computer Usage**
- You are only permitted access to parts of the computer system necessary for you to perform your duties or for authorised personal use.
- 31.7 The following examples constitute computer misuse and are liable to disciplinary action, up to and including dismissal:
- Fraud and theft
 - Introduction of viruses
 - Obtaining unauthorised access
 - Using the system for non-work related activities during work time

31.8 **Email**

No employee shall send or forward emails that in any way may be interpreted as inappropriate, insulting, disruptive or offensive by any other person, company, or which may be harmful to the morale of employees or the reputation of The Council.

31.9 Examples of prohibited material include, but are not limited to:

- Sexually explicit messages, images, cartoons, jokes or movie files.
- Unwelcome propositions, request for dates, or love letters.
- Profanity, obscenity, slander or libel.
- Ethnic, religious, or racial slurs.
- Political beliefs or commentary.
- Any message that could be construed as harassment or disparagement of others based on their sex, race, sexual orientation, age, national origin, disability, or religious or political beliefs.
- Circulating chain mails on the Council's email system.

31.10 Contracts formed by email might be legally binding. Any contractual agreement, offer or acceptance must only be made electronically if you have authority to do this or where specific management authorisation has been given.

31.11 **Internet**

The following is not an exhaustive list but an indication of the types of unacceptable conduct that may result in disciplinary action and possibly dismissal.

31.12 Internet access must not be used for:

- Gambling or gambling related content.
- Online gaming and game related content.
- Personal business purposes or commercial financial gain.
- Downloading or copying material in breach of copyright licensing.
- Downloading and/or using unauthorised software.
- Seeking, retrieving, displaying or downloading data in any format which is indecent, pornographic, offensive, subversive, illegal or otherwise inappropriate and/or inconsistent with the Council's values and the bounds of common decency.
- Authoring, transmitting or storing messages or attachments containing racist, sexist, defamatory, offensive, abusive, illegal or otherwise inappropriate words or material.
- Accessing and using online computer games.
- Accessing streamed broadcast visual media content such as that provided by BBC iPlayer, ITV and Sky streaming services.
- Engaging in political activity. Engaging in or creating binding contracts on behalf of The Council unless you have authority to do this or where specific management authorisation has been given. Transmitting unencrypted information protectively marked OFFICIAL-SENSITIVE or above over the Internet.

31.13 **Social networking**

Employees should not attempt to engage in or discuss Council matters/cases whilst using a personal Social Media account.

31.14 Remember to keep your work and social life separate. Further guidance and helpful tips are contained in the Council's Social Media Policy on the Information Security page on the Intranet.

31.15 Users logged in at a computer shall be considered to be the person browsing the Internet. Under no circumstances shall Internet users browse the Internet or use email from an account belonging to someone else.

31.16 The Council shall report any illegal activity to the Police. Employees shall also be liable to the Council's own disciplinary process.

31.17 Employees shall notify their manager and the SRS Information Security Team (security@blaenau-gwent.gov.uk) immediately should accidental access to such material occur. Normally, no disciplinary action shall be taken against employees who accidentally access sites containing dubious or unethical material providing they raise the issue in a timely manner. However, in order to avoid disciplinary action, it is the user's responsibility to ensure that such unauthorised access does not happen on a frequent basis.

31.18 As stated previously, full details of the relevant policies and guidelines for the use of email and the Internet are available on the [Information Security page](#) on the Intranet. It is your responsibility to ensure you are aware of and abide by these requirements.

31.19 **Disciplinary Action**

You must remember you are a representative of the Council and using email, internet and/or social media accounts to make libellous, slanderous or defamatory comments regarding the Council, its employees or Members, or otherwise bringing the Council's reputation into disrepute, or exposing the Council to potential liabilities, will not be tolerated and may lead to disciplinary action up to and including dismissal.

32. Trade Union Representatives

32.1 Accredited trade union representatives can use Council systems for the purposes of undertaking trade union duties and these will be treated as confidential.

33. Confidentiality and Information Security

33.1 The Council supports and promotes the principles of open government and welcomes opportunities to share information with the community. However, there is some information that is too sensitive or confidential to release.

- 33.2 You should be aware of the type of information which must be made available, and to whom; and the type of information which must not be disclosed at all or without specific permission. "Information" can be stored, or communicated in many ways:
- Image (e.g. photos, CCTV, microfiche).
 - Verbal conversation (e.g. face to face or by telephone, Skype, etc.).
 - Paper documents and manual filing systems (including personal work-related notes).
 - Computerised and other electronic systems (e.g. email, voicemail, instant messaging, computer disk, USB, social media, case management systems or other departmental computer systems, etc.).
- 33.3 You must take all reasonable steps to ensure that the loss, destruction, inaccuracy or improper disclosure of information does not occur as a result of your actions.
- 33.4 You must not disclose personal or financial information about any other member of staff or service user without the express consent of that individual or authorisation from your Chief Officer.
- 33.5 You must not use any information obtained in the course of your employment to cause damage to or bring disrepute to the Council, or for personal gain or benefit. Nor should you pass information on to others who may use it in such a way. Also, you must not access information that is not specifically required to enable you to undertake your role with the Council.
- 33.6 If you have any doubt whether information should be disclosed it is your responsibility to consult your manager before its release.

34. Data Protection

- 34.1 The Data Protection Act 2018, which covers and supplements the General Data Protection Regulation 2016, deals with appropriate protection of any information in which any living person can be identified. This is personal information and it may not necessarily include a person's name. Both the Council and all staff are under an obligation to comply with the Data Protection Act 2018.
- 34.2 Information about your obligations can be found in the Council's [Data Protection Policy along with other associated Information Governance policies also held here](#). These obligations include how personal information should be obtained, stored, accessed and used.
- 34.3 The Council must ensure that:
- The information will be protected against unauthorised access.
 - The confidentiality of information will be assured.
 - The integrity of information will be maintained.
 - Regulatory and legislative requirements will be met.

- 34.4 A breach of the Data Protection Act 2018 should always be reported in line with procedure and may result in criminal proceedings and/or may result in disciplinary action which could include dismissal where appropriate.
- 34.5 Adherence to The Council's policies is mandatory. Any breach may result in disciplinary and/or criminal proceedings. Disciplinary action may include dismissal.

35. Photography

- 35.1 It is important to be aware that permission may be required when using photographs, videos and recordings that identify people. If you have any queries about rights you should contact the Corporate Communications Team for advice.
- 35.2 If you plan to publish or upload any photographs of colleagues to the internet or social media you must seek their permission before doing so.

36. Use of Council Information

- 36.1 You must not use any information obtained in the course of your employment for personal gain or benefit, or pass it on to others who might use it in such a way. You must not disclose to any third party confidential information which could be prejudicial to the Council's interests.

37. Recordings

- 37.1 The Council's [Audio/Video Recording Guidance](#) document covers all recordings, including covert recording of staff meetings and covert recording in Council establishments, by employees and/or associated third parties.
- 37.2 In certain circumstances employees or clients of the Authority may endeavour to make a covert audio/video recording, for example of a work meeting or of care provided in a residential care home, for a number of reasons. For example, an individual may think that a recording will provide evidence of unfair treatment or malpractice. However, no-one has the right to record an employment meeting without express permission and there are a number of legal factors to consider if a client of the Authority intends to make a covert recording.
- 37.3 Any covert recording to be carried out on behalf of the Authority must have prior approval in accordance with the Council's [RIPA Policy](#). Any other covert recording may be deemed as gross misconduct and will be considered in line with the Council's [Disciplinary Policy and Procedure](#).

38. Contract of Employment

- 38.1 This Code is part of your contract of employment. An extract of the Code is issued to every employee as part of their terms and conditions of employment, together with advice on how to access the full document.

39. Failure to Comply

- 39.1 Failure to comply with any of the provisions included in this Code and/or its associated policies may result in disciplinary action being taken under the [Disciplinary Policy and Procedure](#), or legal action if necessary.

Declaration of Interest(s) Form



This form should be completed on an annual basis as a minimum or where there has been a change in circumstances.

Conflicts of interest may occur if a decision of the Council could affect you directly, or indirectly via close friends and relatives, either positively or negatively. To ensure compliance with the Council's Code of Conduct it is necessary for employees to declare if they have an interest or potential interest.

What types of interests should be declared?

You should ask yourself the question "Would a member of the public think that my family, close friends or I would benefit from the connection between my personal interest and my employment?"

How do I know if I have an interest?

If you or a relative (see below for definition of relative), friend or anyone you have a close personal association with:

1. Is involved in an organisation/business that deals with the Council or is likely to have or has existing or proposed contracts with the Council e.g. contractors, suppliers, local businesses, property developers, etc.
2. Is a member of an organisation or group which may oppose Council policies or be impacted by a Council policy or decision.
3. Undertakes a role outside of work that may be impacted by Council decisions e.g. acting as a school governor, member of an NHS trust board, etc.

IN SUCH A SITUATION YOU MUST DECLARE YOUR INTEREST USING THIS FORM.

Please note that individuals are free to take part in activities organised and authorised by the Trade Unions without declaring an interest.

Definition of "Relative"

A relative means a spouse (husband or wife), partner, parent, parent-in-law, son, daughter, step-son, stepdaughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons. "Partner" means a member of a couple who live together.

Implications

Under section 117 of the Local Government Act 1972 you must disclose any interest in an existing or proposed contract in writing as soon as is reasonably practicable. If a relationship may give rise to a real or perceived conflict of interest, trust issue or breach of confidentiality you must declare it to your manager or other appropriate person, in confidence, as soon as you can. Failure to declare such a relationship could lead to disciplinary action.

What you need to do

- Enter your personal details below.
- Indicate whether or not you have any Interest(s)
- Enter the relevant information in the “Details of Interest(s)” section.
- Sign, date and give the form to your Manager or Chief Officer.

Name:

Directorate/Service:

I **do not** have any Interest(s) I have the following Interest(s) – please detail below

Details of Interest(s):

Signature: Date:



REGISTER OF GIFTS AND HOSPITALITY

Gifts may only be accepted when they are low value i.e. up to £20. Regardless of whether the gift is accepted or not it must be registered by the Manager/Service, using this form. Significant gifts (i.e. worth more than £20) or hospitality must never be accepted from service users, actual or potential contractors or outside suppliers.

Directorate/Service:

No.	Date Gift Offered/ Invitation Received	Date of Function	From/Host	Description of Gift/ Hospitality Offered	Given to/ Invited	Accepted/ Declined	Comments