

Isle of Wight Council
**EMPLOYEE CODE OF
CONDUCT**
February 2020

1. Document Information

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3. Introduction

Island residents, visitors to the Island and service users expect to receive the highest standards of loyalty, integrity and capability from you. The purpose of this code is to clearly set out what these standards are for your benefit and how the council undertakes to apply it consistently and fairly. It is your responsibility to work in accordance with this code and managers' responsibility to ensure that the code is fairly and consistently applied.

The code sits alongside all other council policies and outlines standards for you to follow in your day-to-day work. The code reproduces points of principle which have applied in local government for very many years but it also deals with challenges that you might well face.

The code has been prepared with the intention of setting down the basic rules and principles that govern the way you should work and to build on the National Code of Conduct for Local Government Employees, embracing the Nolan Committee's seven principles of public life which are set out as an appendix to this code. Obligations resulting from particular legal, operational and service requirements which apply to you are explained. This code also explains how you are expected to deal with conflicts of interest, confidential matters and offers of gifts or hospitality and where necessary examples and explanations have been given however, it is important to note that this is not an exhaustive list. If you breach this conduct you may be subject to disciplinary action and in the event of a serious breach, dismissal may occur.

4. Standards

- 4.1. Local Government is justifiably proud of its high standards of official conduct and is committed to them being maintained. You have a part to play in ensuring that these high standards continue to be met.
- 4.2. You are expected to give the highest possible standard of service to the public and service users. This includes, where it is part of your duties, providing appropriate advice to councillors and fellow employees with impartiality.
- 4.3. It is recognised that you may be a resident of the Isle of Wight as well. However, you need to be aware that the actions you take as a resident could potentially be seen as acting against the council. Actions which have the potential to bring the council (your employer) into disrepute, to harm public perception or cause reputational damage to the council will be dealt with through the appropriate procedure.
- 4.4. Through agreed procedures and without fear of recrimination, you are expected to bring to the attention of your immediate line manager any impropriety or breach of procedure. Further guidance can be found via the [Whistleblowing at Work Policy](#). If for any reason you do not feel it is appropriate to express your concern to your immediate line manager, you should inform either your manager's manager, or the Monitoring Officer. You should not feel afraid to express your concerns as these will be treated confidentially and you will not be penalised in any way.
- 4.5. Dress attire is recognised to be service area/ position specific given the varying nature of the roles throughout the council. Any 'dress codes/ requirements' should be confirmed via your service manager and must be Health and Safety compliant (where applicable).

5. Disclosure of Information and Confidentiality

- 5.1. As an employee of the council, you must not use any information obtained or created in the course of your employment for personal gain or benefit, nor shall you pass it on to others who might use it in such a way. Unauthorised disclosure is a serious breach of trust between you and the council as your employer. Any inappropriate use of information in this manner may constitute a criminal offence which would be referred to the police and/ or the appropriate policy. If you are unsure of what you can or can't do with information that you are processing, you should seek the advice of your manager or the Corporate Information Unit.
- 5.2. The ownership of material that benefits from copyright created during the course of your employment will belong to the Isle of Wight Council unless there is an express written agreement to the contrary. Any infringement of material which belongs to the council will be pursued through the civil or criminal courts.
- 5.3. The law requires that certain types of information must be available to elected members, auditors, government departments, service users and the public. Under the Local Government Act 1972, the public have the right to access certain information. In most circumstances these rights are related to committee reports and background documents. However certain information within the committee process is not public, including confidential information as defined by the Act and information exempted by virtue of schedule 12A of the same Act. Any confidential information or exempted information should only be disclosed where required to do so by law or with consent of the Monitoring Officer. In addition the council is obliged by law and in accordance with its access to information policy to ensure that information is available upon request subject to limited exemptions. You must also ensure we provide appropriate access and security of information that the Isle of Wight Council holds. Please refer to the council's [Access to Information Policy](#), [Protective Marking Policy](#) and the [Data Protection Policy](#) for further guidance.
- 5.4. You may only talk to the press or media if you are authorised to do so as part of your duties and responsibilities, or otherwise make public statements on behalf of your service. Generally, if you are contacted by the press or media, you should inform your line manager or a senior manager and refer the matter to the Communications Team who will deal with it appropriately.
- 5.5. Former employees of the Isle of Wight Council shall not divulge any Council information obtained in the course of their employment to any third party except where required by law to do so. This is taken extremely seriously as a serious breach of trust and confidence.

6. Political Neutrality and Activity

- 6.1. As an employee you serve the council as a whole. It follows, therefore, that you must serve all elected members, not just elected members of the controlling group, and must ensure that the individual rights of all elected members are respected.
- 6.2. In some instances, if you are a senior employee, you may be expected to advise political groups in an official capacity but you should not do so without the knowledge and consent of your line manager.

- 6.3. You are not eligible to stand for office as a member of the Isle of Wight Council. Involvement in parish council activities is not precluded provided you complete an [additional employment form](#); your line manager gives you permission; and any conflict of interest is declared to the Head of Service. If your post has been assessed as being politically restricted you are prevented from taking part in certain political activities outside your work of which, you would have received formal confirmation from Human Resources where this applies. If you have any doubt about your position you should contact your line manager. The political activities which are restricted for these posts mainly cover the following areas:
- 6.3.1. Standing as a candidate for election to the House of Commons, the European Parliament, or a Local Authority (other than a parish council).
 - 6.3.2. Holding office with a political party, or a committee or sub-committee member of a party.
 - 6.3.3. Canvassing at an election.
 - 6.3.4. Speaking in public or publishing any written or artistic work which appears to be intended to affect public support for a political party.
- 6.4. If you are in any doubt about whether any activity is political activity and covered by these rules you should seek advice from your line manager or the Monitoring Officer.
- 6.5. Whether or not your post is politically restricted you must, follow all policies of the council and must not allow your own personal or political feelings interfere with your work.

7. Relationships

7.1. *Elected Members*

You should ensure that you comply with the protocol for member/officer relations which forms part of the [council's constitution](#). You may be required to give advice to elected members as part of your job. Mutual respect between you and elected members is essential to good local government, but close personal familiarity between you and individual elected members which goes beyond mere acquaintance can damage the relationship, prove embarrassing to other elected members and employees and should therefore be avoided. If you have previously had or currently have a relationship in a private or domestic capacity with any elected member, you must declare that relationship in writing to your line manager. Further information can be found via the council's [register of employee's personal interests](#).

7.2. *The Local Community and Service Users*

You should always remember your responsibility to the community you serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within the community.

7.3. *Contractors*

All relationships with contractors or potential contractors must be made known to the appropriate manager. Orders and contracts must be awarded on merit, by fair competition and no favouritism should be shown to businesses run by, for example, friends, partners or relatives. If you have such an interest you must not be involved in any way in placing orders or awarding any work.

If you engage or supervise contractors as part of your duties, or have an official relationship

with contractors and have previously had or currently have a relationship in a private or business capacity, you must declare that relationship in writing to the appropriate manager. You should ensure you comply with the [council's register of employee's personal interests](#).

8. Appointment and Other Employment Matters

- 8.1. If you are involved in the appointment of staff, you must ensure that these are made on the basis of merit. It would be unlawful for you to make an appointment which was based on anything other than the ability of the candidate to undertake the work. In order to avoid any bias, you must not be involved in an appointment where you are related to an applicant, or have a business or personal relationship outside work with them. Similarly, you must not canvass on behalf of any applicant.
- 8.2. You must not line manage nor be involved in decisions related to the appointment, informal/formal discipline, grievance, capability proceedings, promotion or pay adjustments for any other employee who is a 'close associate' – this includes a family member or friend. A family member could include, but are not limited to:
- Husband / Wife / Partner
 - Son / Daughter
 - Parent
 - Sibling
 - In – laws
 - Aunt / Uncle
 - Niece / Nephew
 - Cousin
 - Step-relations
 - Grandparents

9. Outside Commitments and Personal / Business Interests

- 9.1. You must ensure that you have read and comply with the council's [register of employee's personal interests](#). You must declare your membership or personal relationship involving any organisation that is not open to the public without formal membership and commitment of allegiance and which has secrecy about its rules for membership or conduct.
- 9.2. You must ensure that any work carried out outside of your role in the council, whether it is paid, unpaid or voluntary is declared through the additional employment form which can be found in the [Additional Employment Policy](#) and should be discussed and agreed with your line manager before accepting such work.
- 9.3. Further information regarding outside commitments and personal/ business interests can be found via the [Additional Employment Policy](#).

10. Equality

- 10.1. You have an obligation to ensure that policies relating to equality are agreed by the council are complied with in conjunction with the requirement of the law. All members of the local community customers and colleagues have a right to be treated with fairness, dignity, equity and respect. Further guidance on equality can be found via the [Equality Policy Statement and Guidance](#).

11. Separation of Roles during Tendering

- 11.1. You should comply with the council's procurement code and be clear on the separation of client and contractor roles within the council. If you are a senior employee who has both a client and contractor responsibility, you must be aware of the need for accountability and openness.
- 11.2. If you are in contractor or provider units, you must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors and must not show any favouritism.
- 11.3. If you are privy to confidential information on tenders or costs for either internal or external contractors, you must not disclose that information to any unauthorised party or organisation.

12. Corruption

- 12.1. It is, potentially, unlawful for you to receive any reward or fee other than the pay and benefits that you are entitled to under your contract of employment. It is a criminal offence for you to receive or give any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in your official capacity. You should ensure compliance with the council's [Counter-Fraud and Corruption Strategy](#) at all times.

13. Use of Financial Resources

- 13.1. You must ensure that you use public funds entrusted to you in a responsible and lawful manner, and in accordance with the council's [Financial Regulations](#) and [Anti-Money Laundering Policy](#).

14. Gifts and Hospitality

- 14.1. For the receiving of gifts and hospitality, please refer to the [council's constitution](#). IWC employees should not purchase a gift or carry out an act of hospitality towards members of the public or service users. Please refer to your line manager for further guidance.

15. Sponsorship by Giving and Receiving

- 15.1. Where an outside organisation wishes to sponsor or is sought to sponsor a Local Government activity, whether by invitation, tender, negotiation or voluntary, basic conventions concerning acceptance of gifts or hospitality apply. You must take particular care when dealing with contractors or potential contractors.

- 15.2. Where the council wishes to sponsor an event or service, you or any partner, spouse or relative must not benefit from such sponsorship without there being full disclosure to your line manager of any such interests. Similarly, where the council, through sponsorship, grant aid, financial or other means, gives support in the community, you must ensure that impartial advice is given and that there is no conflict of interest involved.

16. Appendix 1 – Nolan Committee on Standards in Public Life

These principles apply to all aspects of public life.

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.