

RYEDALE  
DISTRICT  
COUNCIL



RYEDALE DISTRICT COUNCIL  
OFFICERS' CODE OF CONDUCT  
CODE OF CONDUCT FOR  
EMPLOYEES

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## **CODE OF CONDUCT FOR OFFICERS**

### **1. PURPOSE**

The purpose of having a Code of Conduct is to:

- To make a clear statement about the standards of conduct expected of employees of Ryedale District Council.
- To ensure the highest standards of conduct by identifying corporate standards which sit alongside professional codes and guidelines.
- Help all employees to act in a way which upholds the Council's standards, and at the same time, protect them from criticism, misunderstanding or complaint.
- To help build trust between the Council and the people who come into contact with those working for it.

### **2. SCOPE**

This Code of Conduct applies to:

- All employees of the Council. Employees are as defined in Section 230 of the Employment Rights Act 1996 or any subsequent legislation.
- Individuals providing services for the Council eg contractors, agencies, self-employed, and those working for the Council as part of partnerships with the Council.

Disregarding this Code will, in certain circumstances, result in disciplinary action being taken. All employees will be supplied with a copy of this Code, against which their conduct will be measured.

### **3 CORE PRINCIPLES**

The following core principles underpin the concept of public service and apply to all employees of the Council regardless of the nature of the job they do.

#### **SELFLESSNESS**

Employees should take decisions solely in the terms of the public interest. They should not do so nor use their position in order to gain financial or other material benefits for themselves, their family or their friends.

#### **INTEGRITY**

Employees should not place themselves under any financial or other obligations 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, employees should make decisions on merit.

### **ACCOUNTABILITY**

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

### **OPENNESS**

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

### **HONESTY**

Employees 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.

### **RESPECT FOR OTHERS**

Employees must treat other people with respect and not discriminate unlawfully or unfairly against any person. They must treat Councillors and other co-opted Members of the authority professionally.

### **TRUST**

Employees must, at all times, act in accordance with the trust that the public is entitled to place on them. Employees must use any public money or service users' money entrusted to or handled by them, in a responsible and lawful manner and not make personal use of the Council resources unless properly authorised to do so.

### **LEADERSHIP**

Employees should promote and support these principles by leadership and example.

The Code of Conduct principles operate within the overall framework of the expected Council Values and Behaviours for Ryedale District Council (explained further in Section 8 of the Code).

You should also be aware of and abide by service specific Standards or Regulations, especially when working with vulnerable adults and children. These are explained in paragraph 6 of this Code.

Please liaise with your Manager who should refer you to the appropriate standards. At the end of the Code of Conduct Guidance notes, you will also find a matrix to help signpost you to other relevant Standards. This may be seen in paragraph 6 of the Code.

## **4 CORE STANDARDS**

Our customers, the general public, are entitled to expect the highest standards of conduct from us. The aim of this code is to tell you about the standards which are expected and to help you avoid any misunderstanding or criticism.

### **4.1 Gifts and Hospitality**

4.1.1 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.

4.1.2 Casual gifts offered to employees by contractors, organisations, firms or individuals such as calendars, diaries, mouse mats, pens and other small gifts need not be declared. The general rule is that a gift below the value of £25 does not need to be declared. However, it will not be appropriate to accept a gift below that value if it's more than minimal and may be perceived as an inducement. Where a number of small gifts over a period of time amount to more than £25 collectively these should be declared.

4.1.3 With the exceptions listed below, you should decline any personal gift offered to you, or to a member of your family, with a value of £25 or over by any person or organisation having dealings with the Council.

4.1.4 Any such offered should be reported to your Line Manager, Service Lead or above on **Form OCC1** and should be recorded in a register, which is kept for this purpose. Service Leads should report any such offer to the Monitoring Officer, who will record it in a similar register. The Monitoring Officer will report any such offer received to the Chief Executive, who will record it.

- 4.1.5 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 Line Manager or the Council Solicitor.
- 4.1.6 A checklist is provided at **Annex A** which you should use to help you decide whether or not it is appropriate to accept a gift. If you are in doubt advice can be sought from the Council Solicitor.
- 4.1.7 You should only accept hospitality where it is on a scale appropriate to the circumstances, and where it is apparent that no cause could reasonably arise for adverse criticism about the acceptance of the hospitality. Hospitality is usually acceptable when the invitation is corporate not personal
- 4.1.8 Whatever gift/hospitality is provided to you, other than hospitality of nominal value only such as drink or small item of stationery, you should report the circumstances and the type of hospitality to your Line Manager, Service Lead or above.
- 4.1.9 It is a serious criminal offence to corruptly 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 their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.
- ! If you are presented with a gift or offer of hospitality you must seek authorisation in advance, where possible, from your Service Lead, the Deputy Chief Executive or the Chief Executive who will record every request on the relevant form. (Consider the decision checklist in Annex A of the Guidance Notes).**

## 4.2 Sponsorship – Giving and Receiving

- 4.2.1 If an organisation wants to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic rules about accepting gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors
- 4.2.2 If the Council sponsors an event or service, you or anyone connected with you may not benefit from the sponsorship. Similarly, if the Council, gives financial support in the community, please ensure that impartial advice is given and that you have no conflict of interest.

- ! **You must inform your Line Manager, Service Lead or above of any personal interest you may have and complete a declaration of interest form.**

#### 4.3 Use of Financial Resources

- 4.3.1 You must ensure that you use public funds entrusted to you in a responsible and lawful manner. Please try to ensure value for money to the local community and to avoid the risk of legal challenge to the Council.

- ! **Employees must follow Standing Orders, Financial Regulations and operating procedures and advise management where they consider changes can be made to increase value for money.**

#### 4.4 Use of Council Facilities

- 4.4.1 At work you have access to facilities which include office equipment, computers, stores, transport etc. Except as permitted by the relevant ICT policy currently in force these facilities are provided purely for work and you must not use them for your own purposes.

- 4.4.2 There are certain minor exceptions to these rules - the use of telephones, fax machines and photocopiers.

- 4.4.3 Telephones - Ideally, private telephone calls should not be made or received. In practice, you may need to make or receive essential calls but these should be kept to a minimum and costs reimbursed to the Council, unless it is an emergency.

- 4.4.4 Fax machines and photocopiers - If necessary, personal fax messages may be dispatched to locations within Great Britain. Photocopies of personal documents (up to a maximum of 10 copies at any one time) may be taken and costs reimbursed to the Council.

- ! **Costs must be reimbursed to the relevant person using the Council's reimbursement process.**

#### 4.5 Intellectual Property

- 4.5.1 Intellectual property mean products of the mind, for example inventions, designs, trade marks, creative writings, programs and drawings (referred to in short as 'inventions'). It will normally be the case that the ownership of all 'inventions' and the copyright of all written material created during work for the Council, belong to the Council.

**! This is a complex area further guidance must always be sought from the Legal Services in any particular case.**

## 4.6 Political Neutrality

4.6.1 There is a long established tradition that local government officers involved in advising elected members of their authority should be seen to observe a policy of political neutrality.

4.6.2 This policy of the political neutrality of officers is important for two main reasons. Firstly it is essential to the functioning of the democratic system that members of a local authority should be able to receive impartial advice from its officers, and that its officers should not be influenced by any political bias in the implementation of the authority's policies. Secondly, it is also vital that members, and those who have elected them, should have complete confidence that their officers will give impartial advice and will act impartially in implementing the authority's policies.

4.6.3 The Council's staff is made up of two types of employee, those who hold "politically restricted posts" and those who do not.

4.6.4 Politically restricted posts fall into two broad categories:

(a) Specified posts:

- the Head of the Paid Service (s4 LGHA)
- non-statutory chief officers
- deputy chief officers
- the monitoring officer (s 5 LGHA)
- the chief financial officer (s 151 LGA)
- officers exercising delegated powers, ie persons whose posts are for the time being specified by the authority in a list maintained in accordance with Section 100G(2) of the Local Government Act 1972 as amended.

(b) 'Sensitive' posts:

A sensitive post is one which meets one or both of the following duties related criteria:

- (i) giving advice on a regular basis to the authority itself, to any committee or sub-committee of the authority or to any joint committee on which the authority are represented; or where the authority are operating executive arrangements, to the executive of the authority; to any committee of that executive; or to any member of that executive who is also a member of the authority.
- (ii) speaking on behalf of the authority on a regular basis to journalists or broadcasters.

4.6.5 All staff in work related time, both those who are politically restricted and those who are not, must follow the Officer Code and also must be politically neutral. They must not do anything during the working day that is a restricted activity.



4.6.6 Politically restricted staff in their private time cannot do anything that is a restricted activity.

4.6.7 But other staff in their private time are not affected by the rules on politically restricted activities.

4.6.8 The restrictions on Officers in Politically Restricted Posts prevents local government employees from standing for office as:

- Local Authority Member (other than a Parish/Town Council)
- MPs
- MEPs

4.6.9 They are also restricted from:

- Acting as an election agent
- Being an officer of a political party or any branch of a political party or a member of any committee or sub-committee of such a party
- Canvassing on behalf of a political party or a person who is or seeks to be a candidate
- Speaking to the public at large or publishing any written or artistic work that could give the impression that they are advocating support for a political party

They can display an election poster in their own home or vehicle.

4.6.10 The cumulative effect of these restrictions is to limit the holders of Politically Restricted Posts to bare membership of political parties, with no active participation within the party permitted.

## 4.7 Other Employment & External Activities

4.7.1 As a general rule you must not undertake any type of private work which conflicts with the Council's interests or prevents you from fulfilling the terms of your employment contract.

4.7.2 If you are above NJC Grade 7 or equivalent, you must obtain the consent of your Line Manager, Service Lead or above before you do private work. You should complete **Form OCC2** and submit it to your Service Lead after consulting your Line Manager.

4.7.3 Whether or not you need to obtain consent before doing private work, **you must not;**

- Do private work during working hours nor on the Council premises nor use Council equipment
- Undertake any private work which prevents you from carrying out your duties with the Council or including any requirements to do contractual overtime
- Undertake private work for any person, firm or company if it will involve the Council
- Prepare or assist with any applications, for example, planning or building, in any private capacity if you deal with these normally

- Access Council Services, for example, if you want to make a planning application personally, unless you declare your employment in writing, in a covering letter with your application and submit this via your line manager
- Undertake private work that needs approval or consent from the Council
- Undertake private work for any person, firm or company who have a contractual relationship with or who are commissioned by the Council for any type of work
- Undertake private work for another employee responsible for supervising you or whom you supervise, or for an elected member of the Council.

4.7.4 Officers must ensure they understand and can comply with both Working Time and Health and Safety regulations before considering other employment.

4.7.5 If an employee has their request to take on additional work refused and wishes to challenge this, they should speak to their line manager or consider raising a grievance under the Council's grievance procedure.

**! Officers must seek consent from their line manager before undertaking other work. All employees must declare an interest where a conflict may arise.**

#### 4.8 Personal Interests including Financial and Non-Financial Interests

4.8.1 Officers may have a variety of personal interests, which may from time to time impact on their role for the Council. To protect the Council and the Officer from any accusations of wrong doing the Council has in place a number of safeguards which demonstrate that these interests are not allowed to influence the way the Council conducts its business.

4.8.2 The following Officers must complete a REGISTER of interests form:

1. Chief Executive or Deputy Chief Executive;
- 2 Service Lead or equivalent;
- 3 Principal Officer;
- 4 Any officer in a Politically Restricted Post

4.8.3 The purpose of this register is to ensure that those who have responsibility for taking the majority of delegated decisions of the authority are required to meet similar standards required of elected members in relation to the registration and declaration of interests.

4.8.4 The officer register of interests will not be available for public inspection as this is personal information. The register will be available for certain officers within the authority to inspect where they need to do so as part of the duties for the Council. These are:-

- (a) The Chief Executive or Deputy Chief Executive
- (b) The Council Solicitor
- (c) Service Leads
- (d) The relevant line manager
- (e) The Chief Financial Officer

The information may also need to be disclosed to those involved in hearing any disciplinary matter or in accordance with the Council's other legal obligations

to disclose information to the external auditors or the Local Government Ombudsman.

- 4.8.5 The form and guidance for completion is available in **Form OCC6**. When completed this form should be returned to Legal Services.
- 4.8.6 Whatever your role within the organisation, you must DECLARE to your Line Manager, Service Lead or above on **Form OCC3** any financial or non-financial interests which could bring about conflict with the Council's interests.
- 4.8.7 If you are in any doubt about a potential conflict of interest, you should bring the matter to the attention of your manager or supervisor so that a decision can be made as to how best to proceed.
- 4.8.8 You must not make, or become involved with, any official, professional, decisions about matters in which you have a personal interest.
- 4.8.9 Section 117 of the Local Government Act 1972 requires you to make a formal declaration about contracts or proposed contracts with the Council in which you have a pecuniary interest. Such declarations should be made on **Form OCC4** and sent to your Line Manager, Service Lead and the Council Solicitor. It is a criminal offence to fail to comply with this provision, which is set out in full at **Annex B** to this Code. Pecuniary interests are considered at Section 95 of the Local Government Act 1972, **See Annex C** to this Code.

**! You must speak to your line manager whenever you have a personal interest and comply with the provisions of this Code.**

## 4.9 Relationships

- 4.9.1 Officers must remember their responsibility to the community they serve. They must be courteous, efficient and impartial in their service delivery to all groups and individuals with whom they come in contact.
- 4.9.2 Officers should ideally avoid close personal familiarity with individual Councillors. Such familiarity can damage the professional relationship needed to execute the Authority's work. Mutual respect between Officers and Councillors is essential to good local government. Close familiarity can prove embarrassing to other employees and Councillors and may produce conflicts of interest that would bring the Authority into disrepute.
- 4.9.3 Officers must inform their manager of all relationships of a business or private nature with external contractors or potential contractors.
- 4.9.4 Officers who engage or supervise contractors and have any other official relationship with contractors or currently have a relationship in a private or domestic capacity with contractors must declare that relationship to their manager.
- 4.9.5 Working with Colleagues

It is expected that you will:-

- 1 Comply with all aspects of the Council's Equal Opportunities Policy

- 2 Treat all staff with dignity and respect
- 3 Acknowledge and value the role of all colleagues
- 4 Share best practice and network with other teams / units
- 5 Comply with the Council's zero tolerance of bullying, harassment or victimisation (including those on grounds of race, sex, sexual orientation, religion, gender, age, belief or disability).
- 6 Be supportive of colleagues and help them to learn and develop new skills
- 7 Work with others to achieve a fast and effective resolution to any conflict arising between staff.

#### 4.9.6 Working with everyone

It is expected that all Officers will:-

- 1 Demonstrate polite and courteous behaviour to all colleagues, customers and elected members at all times
- 2 Ensure that the needs of internal and external customers and Councillors are paramount and are met to their satisfaction
- 3 Comply with all aspects of the Council's Equal Opportunities Policy
- 4 Comply with all aspects of the Council's Safeguarding Children and Vulnerable Adults Policy and Procedures, including its Code of Conduct.
- 4 Refrain from using language or behaving in a manner that another person may find offensive or intimidating
- 5 Bring concerns to the attention of managers. The Council has a Whistle Blowing procedure which may be used in certain cases / circumstances.
- 6 Take responsibility for their own health and safety and assist in maintaining the security and safety of the Council and its staff.

#### 4.9.7 Working with Councillors (link corporate identity manual)

- 1 If you are required as part of your job to give advice to Councillors in general, you must work for all Councillors, not just those of any controlling group, and must ensure that the individual rights of all Councillors are respected.
- 2 It is important that you aim to have a relationship with Councillors based on mutual respect: close personal familiarity can damage the relationship and embarrass other employees. In some cases, there might also be a conflict of interests because of a close friendship or personal relation and therefore this should be declared to your manager.
- 3 If your job also includes advising political groups, you must not behave in a way that suggests political bias.

#### 4.9.8 Being Corporate

It is expected that all employees will:-

- 1 Comply with all Council Policies and Procedures
- 2 Put the interests of the Council above their own departmental interests
- 3 Take personal responsibility for, and pride in, the Council environment
- 4 Maintain an awareness of whole Council issues through communication channels including briefings and newsletters
- 5 Ensure all staff or whom you are responsible are kept informed and are encouraged to feedback to you on council, department or individual issues
- 6 Avoid any sort of behaviour or activity that is likely to bring the Council into disrepute.

#### 4.9.9 Being responsible

It is expected that all Officers will:-

- 1 Take responsibility for their own personal and professional development in consultation with their Line Manager
- 2 Confront rather than deny problems with their own performance
- 3 Communicate ideas and make suggestions for improvements to Line Managers, always looking for creative solutions to problems and positive contributions.

#### 4.9.10 Employment Matters / Equality of Opportunity

- 1 Potential and existing employees must be treated equally regardless of sex, race, colour, nationality, ethnic origin, disability, sexual orientation or marital status
- 2 Officers responsible for recruitment of staff must ensure that appointments are made on the candidate's merits and abilities only
- 3 Officers must not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him/her. Such a relationship must be declared prior to the short-listing process to avoid any possible accusation of bias.
- 4 Officers must not be involved in decisions relating to discipline, promotion or pay adjustments for any employee who is a relative or partner etc. Such a relationship must be declared prior to decision making.
- 5 Officers should consult the Council's equal opportunities policy.

#### 4.10 Appointments & Other Employment Matters

1. If you are involved in the recruitment and selection of employees, appointments should be made on the basis of merit and in accordance with our Recruitment and Selection Policy and Procedures obtainable from Human Resources. To avoid any possible accusation of bias, you should not be involved in an appointment where you are related to an applicant, or have a close personal relationship outside work with him or her.
2. Similarly, you should not be involved in decisions about discipline, promotion or pay adjustments for any employee who is a relative, partner etc.
3. You must declare your interest on **Form OCC3** to your Line Manager, Service Lead or above.

**! Declare an interest on the Declaration form if there is a potential conflict.**

#### 4.11 Tendering and Contracts

- 4.11.1 The award of work or contracts on behalf of the Council should be made on merit alone and should be free from any implications of favour or external influence. You must therefore declare to your Line Manager any relationship, be it business or personal with a current or possible future outside contractor/supplier. This is especially true if you are involved in any way with a tendering process. If you discover a conflict of interest, declared or

otherwise, you should not take part in that process and declare your reasons to your manager.

- 4.11.2 Employees involved in the tendering process and dealing with contractors should be clear about the nature of the separation of client and contractor roles within the Authority. Senior Officers who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- 4.11.3 If you are part of a contractor or client unit or have other official relationships with contractors, you must exercise fairness and impartiality when dealing with all customers, other contractors and sub-contractors.
- 4.11.4 If you are responsible for engaging or supervising contractors and have previously had, or current have, a relationship in a private or domestic capacity with a particular contractor, you must declare that relationship to your Line Manager, Service Lead or above using **Form OCC5**.
- 4.11.5 If you become privy to confidential information on tenders or costs relating either to internal or external contractors, you must not disclose that information to any unauthorised person or organisation.
- 4.11.6 All employees must ensure that no special favour is shown to current, or recent former, employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in any capacity.

**! Declare an interest on the Declaration Form if there is a potential conflict.**

#### **4.12 Corruption**

- 4.12.1 Employees must be aware that it is a serious criminal offence under the Prevention of Corruption Acts for them to receive or give any gift, loan, 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. The relevant statutory rules appear at **Annex D** as attached to this code.
- 4.12.2 For your own protection, if anyone makes an approach to you which seems to you, or might seem to a third party, to be aimed at obtaining some form of preferential treatment, or in any suspicious circumstances in connection with a contract, you must report the matter to the Deputy Chief Executive.

#### **4.13 Private Use of Services or Firms Dealing with the Council**

- 4.13.1 You should be cautious when using the services of firms you know have dealings with the Council. You should ensure that the goods or services bought from such firms are at a price readily available to the general public, this is a difficult and sensitive area. Please try to avoid offending anyone and, if necessary, explain the Council's policy.
- 4.13.2 If you think that any offer of preferential terms is designed to promote a firm's interest, you should not deal with the firm.

4.13.3 You should not use your position with the Council to obtain a discount. However, you may purchase goods at discount terms under a scheme or arrangement, which applies to eg your trade union.

**! If you require further guidance please refer to the Procurement Team.**

#### **4.14 Employee Concerns and Members**

4.14.1 It is not appropriate for Council Officers to lobby Members on matters of individual concern about their employment, operational issues or future policy decisions and Members should discourage Officers from making such approaches. A member of staff who is unhappy about a matter affecting them personally should be encouraged to take this up with their line manager. If they are not happy with the response the next step is to talk to their trade union or staff representative. The Council's grievance procedure is available if informal methods have not resolved the issue.

#### **4.15 Disclosure of Information**

Access to Information / Confidentiality (FOI)

4.15.1 Under the Freedom of Information Act the public have a right to access information about the council's business. This is essential to enable citizens to contribute and take part in the work of the Council. The Council's policy can be seen in the Freedom of Information policy.

4.15.2 However the Council deals continuously with sensitive and confidential information affecting its policies, transactions and employees as well as its relationship with other organisations and individual members of the public to which there is no right of public access and which must remain confidential.

4.15.3 You must ensure, therefore, that any information that you may have is treated very carefully and is not given to people either inside or outside the council who do not have a genuine need and authority to have the information as part of their normal work. This information may be found in a range of documents, plans and financial presentations and can concern the Council's activities, the circumstance of individual customers, employees and organisations carrying out work for the Council.

4.15.4 In general, information must not be disclosed without the consent of the individual concerned unless it is required by law. Also if you are asked to disclose any information you should be aware of the rules of the Data Protection Act which makes it unlawful to disclose information without the person's consent unless it is for one of the following reasons:

- (a) the prevention or detection of crime / or criminal activities
- (b) the prevention of defrauding the Council
- (c) the apprehension or prosecution of offenders
- (d) the assessment or collection of any tax or duty
- (e) the organisation is registered by us to receive information.

4.15.5 If you are approached to give information under one of the above headings you should:

- (i) satisfy yourself that the request falls under (a) to (e) above, if in any doubt ask your manager
- (ii) ask the person to put the request in writing unless the delay would cause problems. If it is necessary to respond on the telephone you should ring the person back to verify the call is genuine. Do not use direct lines – go through the main switchboard.

4.15.6 You must also not use information obtained in the course of your work for personal gain or benefit or pass it on to others who might use it in such a way.

4.15.7 It is important to note that the necessity for confidentiality exists not only during employment but also after you have left. For example, you must not disclose information on issues which are politically or commercially sensitive, concern staffing or restructuring or which affect the Council's legal liabilities.

#### 4.15.8 **Computer Information / Data Protection Act**

If you have access to computer information at work you will also be issued instructions about computer security and proper use of the computer. Please make sure that you read the various documents included in the Council's current information handling policies referred to in the matrix of policies in paragraph 6 below and abide by the contents.

The Data Protection Act provides for particular penalties over and above the council's disciplinary procedure for the unauthorised disclosure of personal information. Under the law you may be personally liable for disclosing personal information. So remember, for example, to take greater care of your computer password and any materials you are using, sign off if you are going to leave your terminal unattended, and dispose carefully of any unwanted floppy disks and printouts etc. Take care not to put any personal information on the internet.

#### 4.16 **Compliance with the Code**

4.16.1 It is important that local government Officers are exemplary in their conduct at work. Non-compliance with this Code will be dealt with in accordance with our Disciplinary Policy.

4.16.2 Employees who consider other employees to be guilty of misconduct must report this to their line manager or raise it through one of the other available procedures eg grievance.

4.16.3 Employees must not treat employees who report (or who intend to report or are suspected of reporting) potential misconduct any less favourably than other employees.

4.16.4 If, in some instances, the employee cannot make use of the existing procedures for any reason then they should raise complaints or genuine matters of concern with the relevant person through the Whistle Blowing Policy.

**! This code is reviewed annually. Officers should therefore ensure they regularly familiarise themselves with the Code and its Guidance Notes.**

### 5. **ASSOCIATED FORMS AND REFERRAL POINTS**

The forms can be found on the HR website under the Code of Conduct.



<b>Name</b>	<b>Action taken by :</b>	<b>Held By/Refer to</b>
OCC1 – Report of offer of gift	Officer to Line Manager, Service Lead or above	HR Intranet
OCC2 – Application for approval of outside employment	Officer to Line Manager, Service Lead or above	HR Intranet
OCC3 – Declaration of Personal Interests	Officer to Line Manager, Service Lead or above	HR Intranet
OCC4 – Notice under Section 117	Officer to Line Manager, Service Lead or above and Council Solicitor	HR Intranet
OCC5 – Declaration of Relationship with Officer	Officer to Line Manager, Service Lead or above and Council Solicitor	HR Intranet
OCC6 – Register of Interests	Officer to Line Manager, Service Lead or above and Council Solicitor	HR Intranet

## **6 CODE OF CONDUCT – MATRIX OF POLICIES, REGULATIONS AND STANDARDS RELEVANT TO SPECIFIC SERVICES**

In determining acceptable standards, Officers are asked to familiarise themselves not only with those included in the Officer's Code of Conduct but also those included in Service specific Codes, corporate policies or operational procedures used by their own Services.

This matrix signposts employees to other key policies, Regulations and Standards, although this should only be used for guidance. Each heading is not mutually exclusive and an employee may find that all headings could apply to them.

<b>APPLIES TO ALL EMPLOYEES</b>	<b>WORKING WITH THE PUBLIC</b>	<b>WORKING WITH SERVICE USERS</b>	<b>WORKING WITH RESOURCES</b>	<b>USING COMMUNICATIONS</b>	<b>WORKING WITH PARTNERS/OTHER ORGANISATIONS</b>	<b>WORKING WITH INFORMATION</b>
<p>Recruitment and Selection</p> <p>Diversity</p> <p>Dignity at Work</p> <p>Health and Safety</p> <p>Confidentiality</p> <p>Core Values</p> <p>Working time regulations</p> <p>Whistle Blowing</p> <p>Drug and Alcohol Policy</p> <p>Preservation from Harassment</p> <p>Job Evaluation</p> <p>Induction</p>	<p>R &amp; S (Recruitment and Selection)</p> <p>Diversity</p> <p>Freedom of Information</p> <p>Habitual or Vexatious Complainant Policy</p> <p>Offensive/Potentially Violent</p> <p>Incident Register</p> <p>Health &amp; Safety Work Charter</p> <p>Smoke Free Legislation</p> <p>Environmental Protection Charter</p>	<p>Confidentiality Code</p> <p>Equal Opportunity</p> <p>Access to Services</p> <p>Members' Code of Conduct</p> <p>Safeguarding Children and Vulnerable Adults Policy and Procedures</p>	<p>Anti-Fraud &amp; Corruption</p> <p>Financial Regulations</p> <p>Procurement Policy</p>	<p>Information Governance Strategy and Policy</p> <p>Information Access and Information Rights Policy</p> <p>Personal Privacy Policy</p> <p>Telephone and Desk Use Policy</p> <p>Internet Acceptable Usage Policy</p> <p>Removable Media Policy</p> <p>Communications and Operation Management Policy</p> <p>E-mail Policy</p> <p>Human Resources Information Security Policy</p> <p>Information Protection Policy</p> <p>Information Security Incident Management Policy</p>	<p>Confidentiality</p> <p>Equal Opportunities</p> <p>CRB Policy</p> <p>Communications Policy/Strategy</p> <p>Safeguarding Children and Vulnerable Adults Policy and Procedures</p>	<p>Confidentiality</p> <p>Data Protection</p> <p>Freedom of Information</p> <p>Information Charter</p> <p>Safeguarding Children and Vulnerable Adults Policy and Procedures</p>

APPLIES TO ALL EMPLOYEES	WORKING WITH THE PUBLIC	WORKING WITH SERVICE USERS	WORKING WITH RESOURCES	USING COMMUNICATIONS	WORKING WITH PARTNERS/OTHER ORGANISATIONS	WORKING WITH INFORMATION
<p>Flexible Working</p> <p>Absence Management</p> <p>Safeguarding Children and Vulnerable Adults Policy and Procedures</p> <p>Harassment Policy</p> <p>Sexual, Racial and Personal Harassment Policy</p>	<p>Food Safety Services Charter</p> <p>Safer Ryedale</p> <p>Safeguarding Children and Vulnerable Adults Policy and Procedures</p>			<p>Information Security Policy Overview</p> <p>I T Access Policy</p> <p>I T Infrastructure Security Policy</p> <p>Remote Working Policy</p> <p>Software Policy</p> <p>Government Connect</p> <p>Safeguarding Children and Vulnerable Adults Policy and Procedures</p>		

## 7. RYEDALE DISTRICT COUNCIL CORE VALUES

Achieving our vision requires great people who take pride in Ryedale, are committed to continuously improving the quality of life in the district and who possess the following values

### Passion

We are passionate about our communities and the services we deliver.

### Respect

We value every individual, respecting people for who they are and for their unique knowledge, skills and experience.

### Openness

We are open and honest in our relationships and in our communications.

### Unity

We will work as one organisation.

### Decisive

We are willing to make brave decisions, to take on big challenges and see them through.

Above all, we are proud, we act with integrity, striving to uphold the highest professional standards, providing sound advice and maintaining our impartiality.

## GIFTS AND HOSPITALITY

### Checklist for considering whether to accept a gift or hospitality.

The question in all cases is one of judgement, and the following checklist of queries should help you to decide whether a gift or an offer of hospitality should be accepted or tactfully declined.

- a. Is the value of the gift or hospitality £25 or over?
- b. If under £25 is it intended as an inducement
- c. Is the extent of the hospitality, or nature of the gift reasonable and appropriate?
  - d. Does the donor have any form of contractual relationship with the Council, does it provide goods or services to the Council of any kind?
  - e. Is the invitation/gift directed to a large group of unrelated individuals or open to the public, or have you been targeted because of your employment with the Council and the nature of your role?
- f. What do you think is the motivation behind the invitation/gift?
  - g. For hospitality do you want to go and if so why? Is it because there will be genuine benefits to the Council in terms of networking and contracts gained? Or is a desire to go centred around personal enjoyment.
  - h. Would acceptance of the invitation be, in any way, inappropriate or place you under pressure in relation to any current or future matter involving the District Council?
- i. For gifts is there a difficulty in returning the gift? If it would cause offence can the gift be given to charity or can you pay an equivalent price of the gift to charity?

If you decide to accept a gift over £25 you must register that in the register of interests, if you decline a gift of over £25 this should also be registered with a statement that the gift has been declined.

You should consider carefully whether to register gifts and offers of gifts below £25 having regard to the issues highlighted above. The relevant form is OCC6 below.

**PERSONAL INTERESTS  
LOCAL GOVERNMENT ACT 1972, SECTION 117  
(see paragraph 4.8.9 of the Code)**

- 1 If it comes to the knowledge of an Officer employed, whether under this Act or any other enactment, by Local Authority that a contract in which he has any pecuniary interest, whether direct or indirect (not being a contract to which he is himself a party), has been, or is proposed to be, entered into by the authority or any committee thereof, he shall as soon as practicable give notice in writing to the authority of the fact that he is interested therein.

For the purposes of this section, an Officer shall be treated as having indirectly a pecuniary interest in a contract, or proposed contract if he would have been so treated by virtue of section 95 above had he been a Member of the Authority.

- 2 An Officer of a Local Authority shall not, under colour of his office or employment, accept any fee or reward other than his proper remuneration.
- 3 Any person who contravenes the provisions of subsection (1) or (2) above shall be liable on summary conviction to a fine not exceeding (level 4 on the standard scale).
- 4 References in this section to a Local Authority shall include references to a joint committee appointed under Part VI of this Act or any other enactment.

**PERSONAL INTERESTS**  
**LOCAL GOVERNMENT ACT 1972, SECTION 95**  
**(see paragraph 4.8.9 of the Code)**

- 1 For the purposes of Section 94 above a person shall be treated, subject to the following provisions of this section and to Section 97 below, as having indirectly a pecuniary interest in a contract, proposed contract or other matter, if:-
  - (a) he or any nominee of his is a member of a company or other body with which the contract was made or is proposed to be made or which has a direct pecuniary interest in the other matter under consideration; or
  - (b) he is a partner, or is in the employment, of a person with whom the contract was made or is proposed to be made or who has a direct pecuniary interest in the other matter under consideration
- 2 Sub-section (1) above, does not apply to membership of or employment under any public body, and a member of a company or other body shall not be reason only of his membership be treated as having an interest in any contract, proposed contract or other matter if he has no beneficial interest in any securities of that company or other body.
- 3 In the case of married persons living together the interest of one spouse shall, if known to the other, be deemed for the purpose of section 94 above to be also an interest of the other.

**PREVENTION OF CORRUPTION ACTS 1906 AND 1916**  
**(see paragraph 4.12 of the Code)**

- 1 The Prevention of Corruption Acts 1906 and 1916 say the following about acceptance of gifts by way of inducement or reward :-
  - (a) Under the Prevention of Corruption Acts, 1906 and 1916, it is an offence for employees corruptly to accept any gifts or consideration as an inducement or reward for :-
    - doing, or refraining from doing, anything in their official capacity; or
    - showing favour or disfavour to any person in their official capacity.
  - (b) Under the Prevention of Corruption Act 1916, any money, gift or consideration received by an employee in public service from a person or organisation holding or seeking to obtain a contract will be deemed by the courts to have been received corruptly unless the employee proves to the contrary.



**OFFICERS' CODE OF CONDUCT**  
**REPORT OF OFFER OF GIFT**

Name in full .....

Department .....

Post held .....

Grading / Salary .....

Details of Gift Offered .....

Date Offer Received .....

To whom offered? .....

By whom the offer was accepted? .....

Signature ..... Dated .....

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For office use only

Date form received by Line Manager, or above	
Entered in Register on	

**OFFICERS' CODE OF CONDUCT**

**APPLICATION FOR APPROVAL OF OUTSIDE EMPLOYMENT**

Name in full .....

Department .....

Post held .....

Grading / Salary .....

Nature of Outside Employment Sought .....

.....

\*Is the post paid / unpaid?

Does this employment, in your view, conflict with or is it detrimental to the interests of the Council or would it weaken public confidence in the conduct of the Council's business?

.....

.....

Signature ..... Dated .....

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Comments of Line Manager

.....

.....

Comments of Service Lead

.....

.....

\*Approved / Not Approved

**OFFICERS' CODE OF CONDUCT**  
**DECLARATION OF PERSONAL INTERESTS**

Name in full .....

Department .....

Post held .....

Grading / Salary .....

Line Manager .....

Nature of Interest .....

.....

Your role in any relevant business of the Council .....

.....

How might the interest, in your view, conflict with the interests of the Council?

.....

I hereby declare that the above details correctly record any interest, which I may have, which could bring about conflict with the Council's interests.

Signature ..... Dated .....

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For office use only

Received	
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**OFFICERS' CODE OF CONDUCT**

**NOTICE UNDER SECTION 117 LOCAL GOVERNMENT ACT 1972  
PECUNIARY INTEREST IN CONTRACT OR PROPOSED CONTRACT**

Name in full .....

Department .....

Post held .....

Line Manager .....

Nature of Pecuniary Interest .....

.....

Details of Contract or Proposed Contract with the Council .....

.....

I make the above declaration in accordance with Section 117 of the Local Government Act 1972.

Signature ..... Dated .....

\_\_\_\_\_

For office use only

Date completed form received by Council Solicitor and Service Lead or above	
Date notified to Line Manager, Service Lead or above	

**OFFICERS' CODE OF CONDUCT**

**DECLARATION OF RELATIONSHIP WITH CONTRACTOR**

Name in full .....

Department .....

Post held .....

Grading / Salary .....

Nature of relationship with Contractor .....

.....  
.....  
.....

Name and Address of Contractor .....

.....

Is this a current relationship? YES / NO

If not, when did the relationship terminate?

.....  
.....

Signature ..... Dated .....

\_\_\_\_\_

For office use only

Date Received by Line Manager, Service Lead or above	
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## OFFICER CODE OF CONDUCT

### REGISTER OF INTERESTS

**Please complete the following register:-**

Name in full .....

Department .....

Post held .....

Line Manager .....

	Guidance	Interest (please write NONE if you have no relevant interests)
Employer	Please indicate the name of the employer of your spouse or partner, or anyone else who lives with you who makes a significant contribution to the household income (it is not necessary to register temporary, summer or part time job of a child of the household).	
Land interest	Please provide details sufficient to describe the location of any land in which you have an interest, whether it is ownership, leasehold, a tenancy or license. If you have any rights over land you should register the address or location of that land.	
Directorships, shareholding and Company Interests	In relation to any company which is based in or may operation in Ryedale, directorships, significant shareholding (ie more than £10,000 of the nominal share value) and any position of management or control in a company. This would include a position as Company Secretary or Treasurer.	
Membership of Bodies	You need only register a position of management or control in a body. You need only register interests in bodies which are:  A Charities or directed to charitable purposes	

	<p>B Bodies designed to influence public opinion – these include campaign groups. You do not need to register membership of a trade union.</p> <p>C Bodies carrying out functions of a public nature: This is wide ranging and will include bodies that you are appointed to by the Council. You need not register membership of Partnerships (where you are there for the Council), but should include trusteeships, governing body membership and membership of a parish council (in Ryedale).</p> <p>D Membership of secret societies. You do not need to register membership of sports associations, secret societies or other clubs and groups but you may need to DECLARE an interest in that body if you find yourself dealing with a matter, which is relevant to that body. You must register membership of a charity (the Grand Lodge of Freemasonry is a charity).</p>	
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I declare that the above is a true statement of my personal interests.

Signature ..... Dated .....